

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

November 3, 2021

The Honorable President Joseph R. Biden
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Re: Board of Supervisors Resolution No. 461-21

Dear President Biden:

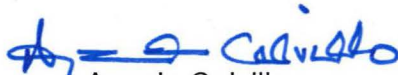
On September 28, 2021, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 461-21 (Urging the Pause of the COVID Booster Administration to the General Population and Supporting Patent Waiver and Technology Information Transfer of Vaccines to Countries that Do Not Have Access), which was enacted on October 8, 2021.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

- One copy of Resolution No. 461-21 (File No. 211017)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,


Angela Calvillo
Clerk of the Board

ll:jw:ams

- c. Member of the Board of Supervisors, Supervisor Hillary Ronen
Tom Paulino, Mayor's Liaison to the Board of Supervisors
Eddie McCaffrey, Mayor's Manager of State and Federal Legislative Affairs
Andres Power, Mayor's Policy Director

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

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

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

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

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

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

21 WHEREAS, By the beginning of August 2021, over 50% of the entire U.S population
22 had been fully vaccinated in contrast to low-income countries such as Ghana with 1% of the
23 population fully vaccinated; and

1 WHEREAS, 80% of the vaccines administered globally have gone to high and upper-
2 middle income countries despite these places accounting for less than half of the world's
3 population and only 0.4% of doses administered have been in low-income countries; and

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

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

11 WHEREAS, The WHO called on countries to stop providing extra doses of the vaccine
12 or boosters until all nations vaccinate at least 40% of their population by the end of the year;
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14 WHEREAS, Public health officials and experts are skeptical of the booster's
15 effectiveness on fully vaccinated persons who are neither at a high risk of contracting the virus
16 or 65 and older given the lack of supporting evidence and believe that vaccinating more
17 people globally will have a greater effect of reducing the chances of another variant emerging;
18 and

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

22 WHEREAS, After much pushback and expert opinion, the Biden Administration has
23 agreed to follow the Centers for Disease Control and Prevention ("CDC") and FDA's
24 recommendation in allowing boosters for people who are at a high risk of contracting the virus
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1 due to an underlying health condition or work environment and persons 65 and older but has
2 not indicated when boosters will be distributed to the general population; and

3 WHEREAS, The United States government has a surplus of vaccines, specifically 116
4 doses per 100 people, while low-income countries such as Yemen only have 1.1 doses per
5 100 people; and

6 WHEREAS, The Biden Administration has an ethical duty to distribute this surplus to
7 countries in need as opposed to providing the general population additional boosters with little
8 scientific data on its effectiveness for persons outside the categories the CDC and FDA
9 outlined; and

10 WHEREAS, Doctors warn that when vaccines are not globally available, more
11 countries will have uncontrolled outbreaks and new variants will emerge; and

12 WHEREAS, The United States, being one of the wealthiest countries globally, has a
13 moral obligation to the rest of the world to help bring an end to this pandemic; and

14 WHEREAS, This virus does not care about borders and will continue to spread and
15 mutate across the world if we do not get most of the global population vaccinated; and

16 WHEREAS, With diminished access to hospitals, ventilators, oxygen, and antiviral
17 drugs, these poor countries are suffering and their people are dying; and

18 WHEREAS, In order for these low to middle income countries to effectively vaccinate
19 their population, they need not only vaccine supply but a way for them to produce their own
20 vaccines and the infrastructure to go along with it; and

21 WHEREAS, The supply of vaccines is limited and will continue to be until supply is
22 increased via the Trade-Related Intellectual Property Rights (TRIPS) waiver (“the waiver”) and
23 technology information transfer; and

24 WHEREAS, The TRIPS waiver, first proposed in October of 2020 for members of the
25 World Trade Organization (“WTO) and later revised in May of 2021, would waive for a period

1 of three years intellectual property rights protections for health products and technologies
2 regarding manufacture for the prevention, containment, or treatment of the virus, including
3 diagnostics, therapeutics, vaccines, medical devices, personal protective equipment; and

4 WHEREAS, The TRIPS waiver would allow nations that are part of the WTO to bypass
5 the barriers caused by intellectual property rights and to authorize generic manufactures in
6 their territories to begin producing vaccines; and

7 WHEREAS, Unlike most drugs, vaccines are large-molecule biological products which
8 require a great deal of information sharing and “know-how” in manufacturing that patents do
9 not contain; and

10 WHEREAS, In May of 2021, although the Biden Administration agreed to negotiations
11 about the waiver, no government action has been taken; and

12 WHEREAS, The United States needs to take a proactive role by supporting the waiver
13 and its implementation as well as promoting the free access of technology and information;
14 and

15 RESOLVED, That the Board of Supervisors urges President Biden to follow the CDC’s
16 recommendations and not administer boosters to the general population; and, be it

17 FURTHER RESOLVED, That the Board of Supervisors urges President Biden to
18 provide a timeline of when and how many vaccines will be distributed to low- and middle-
19 income countries; and, be it

20 FURTHER RESOLVED, That the Board of Supervisors urges President Biden to adopt
21 and implement the TRIPS waiver allowing for patent waivers as well as promote technology
22 information transfer to allow low- and middle-income countries to manufacture, implement,
23 and distribute vaccinations to end this global pandemic; and, be it

24 FURTHER RESOLVED, That the Board of Supervisors urges Congress to support the
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1 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board
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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 211017

Date Passed: September 28, 2021

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
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File No. 211017

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.

Handwritten signature of Angela Calvillo

Angela Calvillo
Clerk of the Board

Unsigned

10/08/2021

London N. Breed
Mayor

Date Approved

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.

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November 3, 2021

The Honorable Nancy Pelosi
Speaker of the United States House of Representatives
1236 Longworth House Office Building
Washington, DC 20515

Re: Board of Supervisors Resolution No. 461-21

Dear Madam Speaker Pelosi:


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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 211017

Date Passed: September 28, 2021

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.

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Angela Calvillo
Clerk of the Board

Unsigned

10/08/2021

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November 3, 2021

The Honorable Dianne Feinstein
United States Senator
331 Hart Senate Office Building
Washington, DC 20510

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10/08/2021
Date

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

November 3, 2021

The Honorable Alex Padilla
United States Senator
B03 Russell Senate Office Building
Washington, DC 20510

Re: Board of Supervisors Resolution No. 461-21

Dear Senator Padilla:


On September 28, 2021, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 461-21 (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), which was enacted on October 8, 2021.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

- One copy of Resolution No. 461-21 (File No. 211017)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,


Angela Calvillo
Clerk of the Board

ll:jw:ams

- c. Members of the Board of Supervisors, Supervisor Hillary Ronen
Tom Paulino, Mayor's Liaison to the Board of Supervisors
Eddie McCaffrey, Mayor's Manager of State and Federal Legislative Affairs
Andres Power, Mayor's Policy Director

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

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

9
10 WHEREAS, In December of 2019, a new virus known as COVID-19 (the “virus”) was
11 first detected and began to rapidly spread globally – killing people all over the world; and

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

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

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

21 WHEREAS, By the beginning of August 2021, over 50% of the entire U.S population
22 had been fully vaccinated in contrast to low-income countries such as Ghana with 1% of the
23 population fully vaccinated; and

1 WHEREAS, 80% of the vaccines administered globally have gone to high and upper-
2 middle income countries despite these places accounting for less than half of the world's
3 population and only 0.4% of doses administered have been in low-income countries; and

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

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

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

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

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

22 WHEREAS, After much pushback and expert opinion, the Biden Administration has
23 agreed to follow the Centers for Disease Control and Prevention ("CDC") and FDA's
24 recommendation in allowing boosters for people who are at a high risk of contracting the virus
25

1 due to an underlying health condition or work environment and persons 65 and older but has
2 not indicated when boosters will be distributed to the general population; and

3 WHEREAS, The United States government has a surplus of vaccines, specifically 116
4 doses per 100 people, while low-income countries such as Yemen only have 1.1 doses per
5 100 people; and

6 WHEREAS, The Biden Administration has an ethical duty to distribute this surplus to
7 countries in need as opposed to providing the general population additional boosters with little
8 scientific data on its effectiveness for persons outside the categories the CDC and FDA
9 outlined; and

10 WHEREAS, Doctors warn that when vaccines are not globally available, more
11 countries will have uncontrolled outbreaks and new variants will emerge; and

12 WHEREAS, The United States, being one of the wealthiest countries globally, has a
13 moral obligation to the rest of the world to help bring an end to this pandemic; and

14 WHEREAS, This virus does not care about borders and will continue to spread and
15 mutate across the world if we do not get most of the global population vaccinated; and

16 WHEREAS, With diminished access to hospitals, ventilators, oxygen, and antiviral
17 drugs, these poor countries are suffering and their people are dying; and

18 WHEREAS, In order for these low to middle income countries to effectively vaccinate
19 their population, they need not only vaccine supply but a way for them to produce their own
20 vaccines and the infrastructure to go along with it; and

21 WHEREAS, The supply of vaccines is limited and will continue to be until supply is
22 increased via the Trade-Related Intellectual Property Rights (TRIPS) waiver (“the waiver”) and
23 technology information transfer; and

24 WHEREAS, The TRIPS waiver, first proposed in October of 2020 for members of the
25 World Trade Organization (“WTO) and later revised in May of 2021, would waive for a period

1 of three years intellectual property rights protections for health products and technologies
2 regarding manufacture for the prevention, containment, or treatment of the virus, including
3 diagnostics, therapeutics, vaccines, medical devices, personal protective equipment; and

4 WHEREAS, The TRIPS waiver would allow nations that are part of the WTO to bypass
5 the barriers caused by intellectual property rights and to authorize generic manufactures in
6 their territories to begin producing vaccines; and

7 WHEREAS, Unlike most drugs, vaccines are large-molecule biological products which
8 require a great deal of information sharing and “know-how” in manufacturing that patents do
9 not contain; and

10 WHEREAS, In May of 2021, although the Biden Administration agreed to negotiations
11 about the waiver, no government action has been taken; and

12 WHEREAS, The United States needs to take a proactive role by supporting the waiver
13 and its implementation as well as promoting the free access of technology and information;
14 and

15 RESOLVED, That the Board of Supervisors urges President Biden to follow the CDC’s
16 recommendations and not administer boosters to the general population; and, be it

17 FURTHER RESOLVED, That the Board of Supervisors urges President Biden to
18 provide a timeline of when and how many vaccines will be distributed to low- and middle-
19 income countries; and, be it

20 FURTHER RESOLVED, That the Board of Supervisors urges President Biden to adopt
21 and implement the TRIPS waiver allowing for patent waivers as well as promote technology
22 information transfer to allow low- and middle-income countries to manufacture, implement,
23 and distribute vaccinations to end this global pandemic; and, be it

24 FURTHER RESOLVED, That the Board of Supervisors urges Congress to support the
25 waiver and its implementation while calling on other nations to do so as well; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board
2 to transmit copies of this of this Resolution to President Joseph Biden and to San Francisco's
3 delegation to the U.S. Congress, with a request to take all actions necessary to achieve the
4 objectives of this Resolution.

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 211017

Date Passed: September 28, 2021

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

File No. 211017

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.

Handwritten signature of Angela Calvillo

Angela Calvillo
Clerk of the Board

Unsigned

10/08/2021

London N. Breed
Mayor

Date Approved

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.

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November 3, 2021

The Honorable Jackie Speier
United States House of Representatives
2465 Rayburn House Office Building
Washington, DC 20515

Re: Board of Supervisors Resolution No. 461-21

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Angela Calvillo
Clerk of the Board

Unsigned

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London N. Breed
Mayor

Date Approved

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.

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