

United States Senate
WASHINGTON, DC 20510

December 20th 2021

Alex Gorsky
Chief Executive Officer
Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933

Dear Mr. Gorsky,

We write with grave concerns about Johnson & Johnson's commitment to providing vaccines for low-income and middle-income countries. We commend the company for developing and manufacturing an effective COVID-19 vaccine that does not require ultra-cold storage, and we urge you to take immediate action to work with the Biden Administration, our international allies, and global public health experts to make the Johnson & Johnson vaccine more widely available to communities around the globe and to tackle the ongoing significant disparities in global vaccine supply and access. Without a stronger commitment from you and your company, millions of preventable deaths will occur.

Vaccines represent the world's best hope at containing the COVID-19 pandemic, but our goals for effectively responding to the pandemic will remain out of reach unless we successfully ramp up our global vaccination effort and get more shots in arms as quickly as possible. While more than 6.5 billion COVID-19 vaccine doses have been administered around the world, they have been concentrated in high-income countries. Less than 10 percent of people living in low-income countries have received at least one dose of the vaccine,¹ and efforts to expand low-income and middle-income countries' access to vaccines have stalled. Despite a significant contribution from the United States, the COVAX international vaccine aid program has fallen hundreds of millions doses short of its vaccine distribution goals. All vaccine manufacturers outside China missed their 2020 production targets by 96 percent,² and are projected to miss their initial 2021 targets by about 50 percent.^{3,4}

If global vaccination rates do not improve, the virus will continue to threaten lives and our global economy. This situation prolongs the need for booster shots to maintain the vaccines' protection and creates dangerous conditions for the emergence of new variants that are potentially resistant to vaccines. In our global society, there is no question that these variants will spread to the United States; when that happens, our current vaccines may not be sufficient to protect the

¹ University of Oxford & Global Change Data Lab. *Share of people who received at least one dose of COVID-19 vaccine*. Updated December 18th 2021. <https://bit.ly/3e5mThR>

² Airfinity Limited. *COVID-19 vaccine production*. Vaccine Supply & Production Summit, March 8th 2021. <https://bit.ly/3sgsGtq>

³ Global Commission for Post-Pandemic Policy. *COVID-19 vaccine production, to November 30th 2021*. <https://bit.ly/3GVq6Nn>

⁴ Global Commission for Post-Pandemic Policy. *COVID-19 vaccine production, to August 31st 2021*. <https://bit.ly/3H0s0fE>

population. This is not just a hypothetical problem: the latest variant of concern—Omicron—clearly points to the need for swift and urgent action around the world.

If the pandemic is not controlled, there will be dire consequences in human and public health terms. Already, over five million people around the world have died of COVID-19.⁵ If current trends in vaccination rates and preventative measures such as mask wearing continue, the Institute for Health Metrics and Evaluation (IHME) at the University of Washington projects that by March 1st 2022 there will be approximately 6.26 million reported deaths – and nearly 13.63 million reported and unreported deaths – due to COVID-19.⁶ Among the remaining 230 million people who contract COVID-19 and survive, almost 25 percent⁷ are likely to continue to experience chronic symptoms known as long covid, which will impact their long-term physical and psychological health as well as the health of our global economy.

Continuing to allow the global pandemic to run rampant will also hurt the United States' economy. High rates of infection in low-income and middle-income countries have reduced their capacity to meet factory production targets and maintain global shipping networks,⁸ thus creating supply chain delays that contribute to inflation and damage American companies' ability to deliver goods and services. Furthermore, American cities and states continue to lose tourism revenue due to the pandemic. According to the United Nations World Tourism Organization (UNWTO), the Americas saw a 68 percent drop in international tourist arrivals in 2020 and a 65 percent shortfall in 2021, with improvements not expected until 2023 or 2024 if current trends continue.⁹ Lastly, the pandemic has curtailed the entry of international university students and workers into the United States, with travel restrictions likely to remain in place for those who cannot access vaccinations.¹⁰ These limits mean that the American economy will miss out on substantial financial, intellectual, and social contributions from these groups.¹¹

As a pioneer in developing an effective vaccine that does not require ultra-cold storage, Johnson & Johnson is in a unique position to bring a swift end to the COVID-19 pandemic around the world. We appreciate Johnson & Johnson's commitment to sell 200 million vaccine doses to Gavi, the Vaccine Alliance for delivery to low- and middle-income countries and the company's agreement to waive indemnification so that its vaccine can be delivered to refugees and displaced people around the world to address urgent humanitarian needs. We also acknowledge that Johnson & Johnson has faced manufacturing challenges that limited its ability to deliver promised doses in 2021.

⁵ AP News. *COVID-19's global death toll tops 5 million in under 2 years*. Carla K. Johnson, November 1, 2021. <https://bit.ly/32lj9WT>

⁶ Institute for Health Metrics and Evaluation, University of Washington. *COVID-19 Projections: Cumulative deaths*. <https://bit.ly/3Fb69lu>

⁷ FAIR Health White Paper. *A detailed study of patients with long-haul COVID: An analysis of private healthcare claims*. June 15th 2021. <https://bit.ly/3q8I0Wb>

⁸ Bloomberg News. *The world economy's supply chain problem keeps getting worse*. Cindy Wang and Enda Curran. August 25th 2021. <https://bloom.bg/3skEdIm>

⁹ United Nations World Tourism Organization. *Global tourism sees upturn in Q3 but recovery remains fragile*. November 28th 2021. <https://www.unwto.org/taxonomy/term/347>

¹⁰ Brookings Institution. *Travel is resuming, but not for everyone*. Célia Belin, November 8th 2021. <https://brook.gs/3p9motw>

¹¹ NAFSA. *International students: Economic value statistics*. <https://bit.ly/3eczDC>

However, more work is urgently needed in the short-term. Experts have estimated that another 4.5 billion doses are needed to fully vaccinate 80 percent of the world's seven billion people over the age of five years, and up to 6 billion additional doses may be needed in 2022 for booster shots to reinforce the efficacy of vaccines given to individuals in 2021.¹²

Johnson & Johnson is in a strong financial position to significantly increase its contribution to global vaccination efforts and has a responsibility to do so. The research and development program for the vaccine was underwritten by public investment. The United States government provided more than \$1 billion to Janssen Pharmaceuticals (part of Johnson & Johnson) to fund large-scale clinical trials and manufacturing,¹³ coordinated scientific expertise and research infrastructure,¹⁴ provided Emergency Use Authorization from the Food and Drug Administration (FDA) to expedite the market launch of the vaccine,¹⁵ and pre-ordered doses early in the development process to ensure healthy sales.¹⁶

Given all this public assistance and support, it is reasonable to expect the company to make a sizeable contribution to global vaccination efforts. By all accounts, Johnson & Johnson is able to do so without undercutting investment in the development of new pharmaceutical products or payouts to shareholders, as the company has earned a gross profit margin of 67.45 percent as of Quarter 2 2021,¹⁷ with individual stock returns having increased by 15 percent since the end of 2019.¹⁸

Working to increase global access to the COVID-19 vaccine is consistent with Johnson & Johnson's statement of values,¹⁹ which includes a commitment to health equity in obtaining access to the vaccine. It is time to move beyond statements of principle and take more substantial concrete steps to get shots in arms around the world.

We are dismayed by Johnson & Johnson's continued prioritization of vaccine orders for high-income countries,²⁰ lack of transparency about where COVAX and other low and middle-income countries are in the queue for vaccine deliveries, and resistance to sharing its technology²¹ and immediately ramping up global vaccine production. There are many important ways in which

¹² Washington Post. *Pfizer and Moderna's mRNA vaccines are our best chance to end this pandemic. Break up their duopoly.* Tom Friedan, October 12th 2021. <https://wapo.st/3yIH92D>

¹³ U.S. Department of Health & Human Services. *COVID-19 medical countermeasure portfolio.* <https://bit.ly/3FeVfLL>

¹⁴ National Institutes of Health. *NIH to launch public-private partnership to speed COVID-19 vaccine and treatment options.* April 17th 2020. <https://bit.ly/3yFAfuK>

¹⁵ Johnson & Johnson Press Release. *Johnson & Johnson COVID-19 vaccine authorized by U.S. FDA for emergency use.* February 27th 2021. <https://bit.ly/323upHX>

¹⁶ Congressional Research Services. *Operation Warp Speed contracts for COVID-19 vaccines and ancillary vaccination materials.* Updated March 1st 2021. <https://crsreports.congress.gov/product/pdf/IN/IN11560>

¹⁷ CSI Market. *Johnson & Johnson gross profit margin by quarter.* <https://bit.ly/3Fb8WLu>

¹⁸ TREFIS. *COVID-19 vaccine stocks – What's happening?* December 19th 2021. <https://bit.ly/3sh793F>

¹⁹ Johnson & Johnson. *Living our values: Our commitment to transparency and accountability.* <https://bit.ly/3skokl1>

²⁰ Statista. *Share of Johnson & Johnson COVID-19 vaccines delivered worldwide as of September 2021 by country income group.* Matel Mikulic, November 12th 2021. <https://bit.ly/3e5rIaX>

²¹ Nature. *The fight to manufacture COVID vaccines in lower-income countries.* Amy Maxmen, September 15th 2021. <https://www.nature.com/articles/d41586-021-02383-z>

Johnson & Johnson can make a more substantial contribution to global vaccination efforts and save countless lives. We call on the company to:

1. Provide more vaccine doses at not-for-profit prices to COVAX and low-income and middle-income countries as quickly as possible;
2. Increase the transparency of its processes and records, especially regarding the status of vaccine deliveries and the priority placed on fulfilling orders from COVAX compared to other countries;
3. Work with international partners such as COVAX to address financial and logistical challenges to equitable vaccine delivery;
4. Immediately increase manufacturing capacity and facilitate technology transfers with fair royalties, by engaging with international partners such as the World Health Organization to develop and resource additional facilities around the world; and
5. Engage with the Biden Administration to identify other barriers to global vaccination efforts beyond supply, and implement additional strategies to expand access to vaccines.

Thank you for your urgent attention to the matter of global disparities in vaccine supply and access. We stand ready to work with you to bring a swift end to the global pandemic.

Sincerely,



Sherrod Brown
United States Senator



Brian Schatz
United States Senator



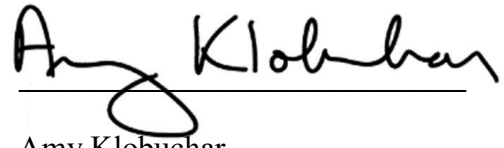
Richard Blumenthal
United States Senator



Benjamin L. Cardin
United States Senator



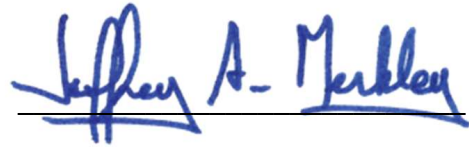
Tammy Duckworth
United States Senator



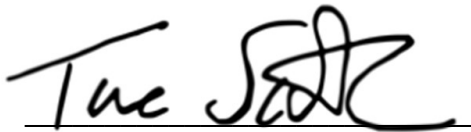
Amy Klobuchar
United States Senator



Edward J. Markey
United States Senator



Jeffrey A. Merkley
United States Senator



Tina Smith
United States Senator



Elizabeth Warren
United States Senator



Ron Wyden
United States Senator