

United States Senate

WASHINGTON, DC 20510

May 1, 2024

The Honorable Joseph R. Biden
President of the United States
The White House
Washington, D.C. 20500

Dear Mr. President:

Next month, during the Seventy-seventh World Health Assembly (WHA), your administration is expected to commit the United States to two international agreements that would strengthen the World Health Organization's (WHO) authority to declare public health emergencies of international concern and expand the WHO's authority over member states during such emergencies. This is unacceptable.

The WHO's failure during the COVID-19 pandemic was as total as it was predictable and did lasting harm to our country. The United States cannot afford to ignore this latest WHO inability to perform its most basic function and must insist on comprehensive WHO reforms before even considering amendments to the International Health Regulations (IHR) or any new pandemic related treaty that would increase WHO authority. We are deeply concerned that your administration continues to support these initiatives and strongly urge you to change course.

Article 55 of the IHR requires the text of any IHR amendment to be communicated to member states at least four months before the WHA at which they are to be considered. As the WHO has still not provided final amendment text to member states, we submit that IHR amendments may not be considered at next month's WHA. Some of the over 300 proposals for amendments made by member states would substantially increase the WHO's health emergency powers and constitute intolerable infringements upon U.S. sovereignty. As such, it was essential that the WHO abide by the four-month notice period to allow member states time to ensure that no traces of such proposals were included in a final amendment package for consideration by the WHA. Having failed to do so, amendments are not in order.

The WHO's most recent publicly available draft of its new pandemic response treaty is dead on arrival. Instead of addressing the WHO's well-documented shortcomings, the treaty focuses on mandated resource and technology transfers, shredding intellectual property rights, infringing free speech, and supercharging the WHO. Moving forward with a new pandemic preparedness and response treaty ignores the fact that we are still unsure of COVID-19's origins because Beijing continues to block a legitimate independent investigation. We strongly urge you not to join any pandemic related treaty, convention, or agreement being considered at the Seventy-seventh WHA. Should you ignore this advice, we state in the strongest possible terms that we consider any such agreement to be a treaty requiring the concurrence of two-thirds of the Senate under Article II Section 2 of the Constitution.

In light of the high stakes for our country and our constitutional duty, we call upon you to (1) withdraw your administration's support for the current IHR amendments and pandemic treaty negotiations, (2) shift your administration's focus to comprehensive WHO reforms that address its persistent failures without expanding its authority, and (3) should you ignore these calls, submit any pandemic related agreement to the Senate for its advice and consent.

Sincerely,



Ron Johnson
United States Senator



Rick Scott
United States Senator


James E. Risch
United States Senator




Bill Cassidy, M.D.
United States Senator



John Barrasso, M.D.
United States Senator


Marsha Blackburn
United States Senator


John Boozman
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John Cornyn
United States Senator



Tom Cotton
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Kevin Cramer
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Mike Crapo
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Ted Cruz
United States Senator

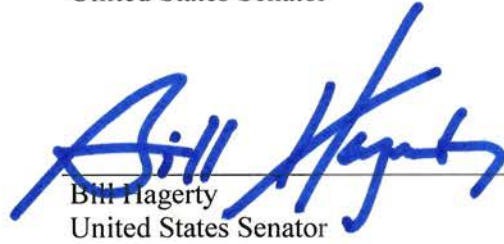

Steve Daines
United States Senator

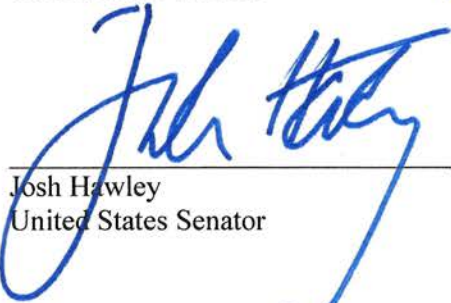

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Deb Fischer
United States Senator



Lindsey O. Graham
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Charles E. Grassley
United States Senator


Bill Hagerty
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Josh Hawley
United States Senator

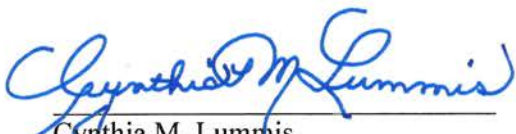

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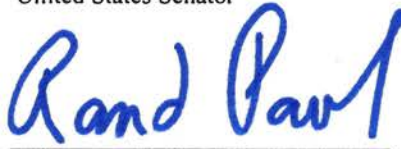
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Jerry Moran
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Rand Paul, M.D.
United States Senator



Pete Ricketts
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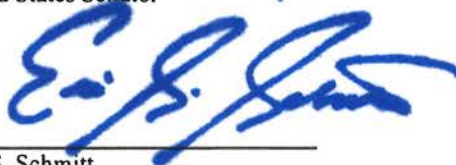
Mitt Romney
United States Senator



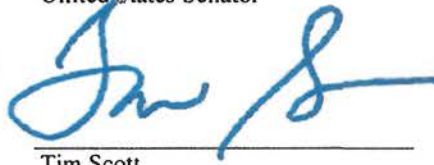
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Marco Rubio
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Eric S. Schmitt
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John Thune
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