

July 29, 2021

### Summary

The United States has 34,675,359 confirmed COVID-19 cases and 611,805 reported related deaths. President Biden will announce on Thursday that all civilian federal employees must be vaccinated or undergo regular testing and submit to other restrictions. The Department of Veterans Affairs will also mandate that front-line health care workers in the agency receive the vaccine within the next two months. The US House of Representatives has reinstated its mask requirements for all members regardless of vaccination status.

AstraZeneca has not yet recommended a third dose of its COVID-19 vaccine. The company's CEO cited its vaccine's strong T-Cell response after two doses, and suggested more research was needed regarding a third dose. Alternatively, Pfizer released data this week suggesting a third dose of its vaccine could greatly improve the recipient's antibody response to the Delta variant, especially in the 65-85 age range. Johnson & Johnson increased the shelf life of its vaccine from four and a half months to six months. Finally, leading medical groups recommended Monday that healthcare employers require their employees to be vaccinated.

The CDC revised its masking recommendations on Tuesday, changing course on two important points. First, the CDC now recommends fully vaccinated individuals in high transmission areas wear masks. Second, the CDC now recommends all adolescents wear masks when returning to school in the fall.

On a heat map of the United States indicating which states have the most new daily cases, a significant amount of states are now orange and red. Orange indicates community spread with 10-24 daily new cases per 100,000 people and red represents 25+ daily new cases per 100,000. Currently, California, Utah, and North Carolina are classified as orange while Florida, Louisiana, and Arkansas are red.

As of July 29, New York reported 2 deaths, 611 hospitalizations, and 126 COVID-19 patients in intensive care. Approximately 2,567, or 2.49%, of the 103,159 tests administered in New York were positive for COVID-19. New York has administered 22,128,025 doses of the vaccines to patients; 62.7% of New York residents have received at least one dose of the vaccines; and 56.8% are fully vaccinated. All New York State workers will be required to either be vaccinated for COVID-19 or get tested on a weekly basis. Governor Cuomo announced the selection of five laboratories to help identify COVID-19 variants in New York State, with the goal of expanding the genetic sequencing of specimens positive for SARS-CoV-2—the virus that causes COVID-19.

## **U.S. Government Updates**

- [\*Biden will detail his plan to require U.S. federal workers to be vaccinated or face regular tests\*](#), July 29
  - On Thursday, President Biden will announce that all civilian federal employees must be [vaccinated](#) or undergo regular testing and submit to social distancing, mask requirements, and restrictions on travel.
  - The federal plan will not require employees to get the shot unless they are front-line health care workers in the Department of [Veterans Affairs](#). The Secretary of Veterans Affairs Denis McDonough announced that the department will require roughly 115,000 front line workers to get vaccinated in the next two [months](#) or face penalties, including potential termination.
  - The move follows similar policies announced by some governors, including Gov. Andrew Cuomo of New York.
- [\*Masks Will Return to the U.S. House and White House After the CDC Changes Guidance\*](#), July 28
  - Following new CDC guidance, the US House has reinstated a mask mandate for all members, regardless of vaccination status in House buildings, during meetings and in the House chamber. The rule does not apply to members of the Senate.
  - On [Tuesday](#), the White House Correspondents' Association announced that it will also require reporters to wear masks while they are inside the White House.
  - The White House announced that vaccinated administration officials would also wear masks where appropriate according to the new CDC guidance.

## **Vaccines and Therapeutics**

- [\*'Not clear yet' if booster shots of Covid vaccine are needed, AstraZeneca CEO says\*](#), July 29
  - AstraZeneca CEO Pascal Soriot said Thursday that the company is not yet sure whether a third dose of its vaccine is necessary to boost immunity.
  - He distinguished two components of a vaccine immune response: the production of antibodies, which tend to wane after a few months following the second dose, and the production of T-Cells, which protect against severe disease and provide a durable immune response. The AstraZeneca vaccine has had success producing high T-Cell counts. Soriot concluded more long-term research was needed.
- [\*Pfizer data suggest third dose of Covid-19 vaccine 'strongly' boosts protection against Delta variant\*](#), July 28
  - On Wednesday, Pfizer released data suggesting a third dose of its COVID-19 vaccine bolsters the body's immune response to the Delta variant. In particular, the third dose could multiply Delta-targeting antibodies fivefold for adults 18-55, and eleven-fold for adults 65-85. The data has not yet been peer reviewed.
  - Experts at the CDC and FDA are still not convinced a third dose is necessary. However, Pfizer still plans to apply to authorize a third dose of its vaccine. Pfizer points out that a third dose could be beneficial around the six-month mark, when antibody levels begin to wane after the initial doses.
- [\*The FDA Extends The Expiration Date On Johnson & Johnson's COVID Vaccine To 6 Months\*](#), July 28

- Johnson & Johnson announced that doses of its vaccine that have been properly refrigerated are safe to use for six months—an extension from the previous shelf life of four and a half months and the initial shelf life of three months.
- [Leading medical groups urge mandatory vaccinations for all health care workers](#), July 26
  - Leading medical groups such as the American Medical Association recommended Monday that healthcare employers mandate employees be vaccinated.
  - The group argued that the mandate is necessary to protect patients. It also urged other employers to consider mandating the vaccine among employees.

### **U.S. Centers for Disease Control and Prevention (CDC)**

- [CDC Interpretation of Forecasts of New Deaths and Hospitalizations](#), July 28
  - CDC [consolidated](#) data from 32 models projecting the COVID-19 death rate. Predicted rates differ among the forecasts, depending on assumptions about the prevalence and rigor of social distancing behaviors. CDC’s national ensemble forecast predicts the number of newly reported COVID-19 deaths will increase over the next four weeks. It forecasts between 1,800 and 6,900 new deaths in the week ending August 21, 2021, and between 619,000 and 633,000 cumulative deaths by this date.
  - CDC [consolidated](#) data from 10 models projecting the number of daily COVID-19 hospitalizations. The forecast predicts daily hospitalizations will increase over the next four weeks, with between 4,800 and 20,000 new hospitalizations per day by August 21, 2021. It predicts that hospital admissions will increase in 34 jurisdictions, while remaining stable or uncertain in the remaining states and territories.
- [CDC reverses indoor mask policy, saying fully vaccinated people and kids should wear them indoors](#), July 28
  - The CDC revised its masking recommendations on Tuesday. First, the CDC now recommends that all individuals in high transmission areas, including fully vaccinated individuals, wear masks. Second, the CDC now recommends that kids wear masks in schools this fall.
  - CDC officials said the changes were necessary due to the agency’s evolving understanding of the Delta variant, which is surging in many areas.
  - While the CDC’s recommendations are voluntary, many state and local bodies have already adopted the new guidance or had previously reinstated full masking.

### **New York State**

- [New York State COVID-19 Updates](#), July 30
  - New York reported 2 deaths, 611 hospitalizations, and 126 COVID-19 patients in intensive care on July 29, 2021.
  - Approximately 2,567, or 2.49%, of the 103,159 tests administered in New York on July 29 were positive for COVID-19.
  - As of July 29, New York has administered 22,128,025 doses of the vaccines to patients; 62.7% of New York residents have received at least one dose of the vaccines; and 56.8% are fully vaccinated.
  - All New York State workers will be [required](#) to either be vaccinated for COVID-19 or get tested on a weekly basis. Patient-facing healthcare workers at State-run hospitals are required to be vaccinated by Labor Day, with no option to be tested in lieu of vaccination.

- Governor Cuomo [announced](#) the selection of five laboratories to help identify COVID-19 variants in New York State, with the goal of expanding the genetic sequencing of specimens positive for SARS-CoV-2—the virus that causes COVID-19.

### **New York City**

- [New York City COVID-19 Updates](#), July 30
  - Mayor Bill de Blasio [announced](#) that all New York City workers would have to either be vaccinated or get tested weekly for COVID-19. The policy takes effect in mid-August for people who work in foster care, shelters, or senior centers and in September for the remaining City workforce.
  - Beginning this Friday, New York City will [pay](#) \$100 to anyone who receives their first dose of the COVID-19 vaccine at a city-run vaccination site.

### **International**

- [England and Scotland](#) will now allow fully vaccinated travelers from the US and much of Europe to enter without quarantining starting next week. However, Britain will not lift quarantine restrictions for those arriving from [France](#), sparking frustration from the French government.
- The member states of the [European Union](#) together have now administered more COVID-19 vaccine doses per 100 people than the United States. The EU also recently overtook the US for percentage of people having received a first injection.
- [Thailand](#) has begun building a COVID-19 treatment center on the grounds of Don Mueang International Airport in Bangkok, turning a cargo warehouse into a 1,800 bed facility slated to open August 12.
- In [Tokyo](#), Olympic organizers reported 24 new COVID-19 cases on Thursday, including three cases in athletes. In the city at large, infection rates are rising, with 3,177 new infections reported in Tokyo on Wednesday, setting a record for the second consecutive day.
- The president of the [Philippines](#), Rodrigo Duterte, has said that local officials should detain people in their homes who refuse to get vaccinated; legal experts have criticized the proposal as unconstitutional and it is unclear how serious the statement was.

### **Other Updates**

- [Department of Labor Unemployment Insurance Weekly Claims Report](#), July 29
  - Department of Labor (DOL) reports that another 400,000 workers filed initial claims (seasonally adjusted) for unemployment benefits last week.
  - The number of new claims had trended downward since March 2020, when nearly seven million people filed for unemployment insurance in a single week. However, claims began spiking again around December of last year.
  - Last week, 95,166 people filed new claims for Pandemic Unemployment Assistance, the federal program intended to help freelancers, gig workers, the self-employed, and others not eligible for state jobless benefits.

Other recent events covered in detail elsewhere:

- [Podcast: Non-binding Guidance: COVID-19 Vaccine Mandate Litigation](#), July 29

- [Three new General Licenses expand scope of COVID-19-related activity with Iran, Syria, and Venezuela under U.S. Sanctions](#), July 6
- [Regulatory Trends in Pharma Deal-making: Transitioning from the “Year of the Pandemic” to “Another Year of the Pandemic.”](#) June 3
- [Non-binding Guidance: The Defense Production Act and the COVID-19 Pandemic](#), May 27

Send questions to:

- [COVID-19-Implications@ropesgray.com](mailto:COVID-19-Implications@ropesgray.com)