

United States Senate

WASHINGTON, DC 20510

March 17, 2020

President Donald Trump
The White House
1600 Pennsylvania Avenue N.W.
Washington, D.C. 20500

Dear President Trump:

The Defense Production Act of 1950 (DPA) authorizes the president to strengthen domestic manufacturing capacity and supply in extraordinary circumstances, and to direct the production by private sector firms of critical manufactured goods to meet urgent national security needs. In 2009, Congress amended DPA to explicitly extend those authorities to support domestic preparedness and response to national emergencies, like the coronavirus (COVID-19) pandemic.

There are widespread reports of shortages in personal protective equipment (PPE), ventilators, diagnostic test kits, and other medical supplies that require medical professionals to ration existing supplies. The Department of Defense, in collaboration with Governors and appropriate federal agencies, should immediately undertake a national assessment of the supply and anticipated needs for PPE, ventilators, diagnostic test kits, and other needed medical supplies to support the use of its DPA authorities, as well as determining the potential use of the Defense Logistics Agency to support the rapid deployment of needed equipment, including from existing reserves. It is critical that we substantially and immediately bolster domestic testing capacity to identify cases and, accordingly, help slow the spread of COVID-19. In addition to meeting the acute and immediate needs of our health care system, we must also anticipate potential medium to long-term needs for ventilators, PPE, test kits, and other goods as the disease spreads in the coming months, including a potential second wave.

In each of our states and across the nation, we know how to make things, quickly and efficiently. But these decisions cannot be left solely to the market or to individual states. The federal government must lead in making sure our nation's industrial capability is harnessed to address this urgent need. We urge you to invoke DPA authorities immediately to respond to this pandemic and alleviate these stresses on our health care system.

Sincerely,

Sherrod Brown
United States Senator

Charles E. Schumer
United States Senator

Edward J. Markey
United States Senator

Michael F. Bennet
United States Senator

Tom Udall
United States Senator

Cory A. Booker
United States Senator

Richard J. Durbin
United States Senator

Martin Heinrich
United States Senator

Thomas R. Carper
United States Senator

Tammy Baldwin
United States Senator

Chris Van Hollen
United States Senator

Benjamin L. Cardin
United States Senator

Tim Kaine
United States Senator

Christopher S. Murphy
United States Senator

Angus S. King, Jr.
United States Senator

Elizabeth Warren
United States Senator

Richard Blumenthal
United States Senator

Brian Schatz
United States Senator

Debbie Stabenow
United States Senator

Gary C. Peters
United States Senator

Doug Jones
United States Senator

Margaret Wood Hassan
United States Senator

Ron Wyden
United States Senator

Jack Reed
United States Senator

Jeffrey A. Merkley
United States Senator

Mazie K. Hirono
United States Senator

Amy Klobuchar
United States Senator

Robert Menendez
United States Senator

CC: The Honorable Alex Azar, Secretary of the Department of Health and Human Services
The Honorable Mark Esper, Secretary of Defense
Robert Kadlec, MD, Assistant Secretary for Preparedness and Response