

Congress of the United States
Washington, DC 20515

April 6, 2020

President Donald J. Trump
The White House
1600 Pennsylvania Ave, N.W.
Washington, DC 20500

Dear President Trump,

As members of the New York congressional delegation, we urge you to dramatically expand the use of the Defense Production Act (DPA), to utilize the broad capabilities of our Department of Defense so we can protect our frontline health care workers. Previously, the New York City congressional delegation wrote to you on March 20th urging you to invoke the DPA. While we recognize that you officially invoked the DPA on March 27th in order to spur production of ventilators, there is still much more work to do to meet the needs of New Yorkers.

As you know, New York State is now the epicenter of the COVID-19 pandemic. To say the situation is dire, is but an understatement. There are well over 130,000 New Yorkers who have been infected, of which nearly 4,800 have died. On Thursday, April 2nd, the Governor issued a warning that the State would run out of ventilators in six days.

Defense Production Act

Each of us represents a district with overrun hospitals, shortages of personal protective equipment (PPE) and critical medical technology, and not nearly enough testing capabilities. While we appreciate that you technically invoked the DPA on March 27th, simply invoking these authorities is not enough. We require strong, federal action to spur private manufacturers to make the necessary supplies and distribute them across the country according to need.

As you know, invoking the DPA has not historically been considered a controversial or extraordinary action. In fact, according to a New York Times report, the DOD estimates that it has used the DPA 300,000 times per year, and DHS placed more than 1,000 rate orders (an indication of DPA use) in 2018 for hurricane and disaster response. We urge you to not just invoke the authorities of the DPA, but to incentivize manufacturers across the country to turn their production lines to reflect the needs of our hospitals.

Support from Department of Defense

We are grateful for the role that the Army Corps of Engineers has played in converting the Javits Center in Manhattan into a medical facility. This partnership proves what can be accomplished

when DOD uses its personnel and expertise to partner with states and cities in need. The Pentagon reportedly is prepared to transfer 2,000 ventilators in military stocks to FEMA and the Department of Health and Human Services, but it has not received subsequent direction on where this supply should be sent. Pentagon officials have commented that there are five million N-95 masks available, but that only 1.5 million have been shipped, as there has been no decision on where the remaining masks should go. The U.S.N.S. Comfort arrived in New York on Thursday and most of its beds remain unused.

The Defense Logistics Agency (DLA) also has the potential to support response from state and local governments, as well as the Department of Homeland Security, with uniforms, food, and distribution centers. DLA has experience supporting supply chain management in emergency settings and its scale and expertise must be utilized immediately.

Time is of the essence; if the Pentagon has the capacity and the expertise to assist – whether in creating field hospitals or distributing emergency PPE and medical technology – we need to partner with them now.

Mass Testing for Frontline Health Care Workers

While every person who is sick should act as though they have COVID-19 by self-isolating, we need unrationed testing with quick results to be available in every community in order to track and slow the spread of COVID-19. We need the support of the Defense Threat Reduction Agency to continue to deliver test kit swabs to healthcare workers. Guaranteed, rapid-result testing for all health care workers is not only critical for saving their lives, but will keep our healthcare workers healthy to care for the influx of COVID-19 cases.

We look forward to your prompt response on addressing these important issues.

Sincerely,



Grace Meng
Member of Congress

/s/ Charles E. Schumer
United States Senator

/s/ Gregory W. Meeks
Member of Congress

/s/ Kathleen M. Rice
Member of Congress

/s/ Kirsten Gillibrand
United States Senator

/s/ Nydia M. Velázquez
Member of Congress

/s/ Thomas R. Suozzi
Member of Congress

/s/ Eliot L. Engel
Member of Congress

/s/ Yvette D. Clarke
Member of Congress

/s/ Jerrold Nadler
Member of Congress

/s/ Carolyn B. Maloney
Member of Congress

/s/ Sean Patrick Maloney
Member of Congress

/s/ Nita M. Lowey
Member of Congress

/s/ Antonio Delgado
Member of Congress

/s/ Adriano Espaillat
Member of Congress

/s/ José E. Serrano
Member of Congress

/s/ Paul Tonko
Member of Congress

/s/ Joseph Morelle
Member of Congress

/s/ Hakeem Jeffries
Member of Congress

/s/ Brian Higgins
Member of Congress