

BRIAN HIGGINS  
26TH DISTRICT, NEW YORK

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CO-CHAIR, REVITALIZING OLDER CITIES  
TASK FORCE

Congress of the United States  
House of Representatives  
Washington, DC 20515-3226

2459 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-3306  
(202) 226-0347 (FAX)

726 EXCHANGE STREET  
SUITE 601  
BUFFALO, NY 14210  
(716) 852-3501  
(716) 852-3929 (FAX)

800 MAIN STREET  
SUITE 3C  
NIAGARA FALLS, NY 14301  
(716) 282-1274  
(716) 282-2479 (FAX)  
higgins.house.gov

March 22, 2020

The President  
The White House  
1600 Pennsylvania Avenue NW  
Washington, D.C. 20500

Dear President Trump,

I write to urge you to mobilize agency resources to implement the authorities granted through the Defense Production Act and actions outlined in the “Executive Order on Prioritizing and Allocating Health and Medical Resources to Respond to the Spread of COVID-19.” New York State’s health care system is in a state of emergency, we are in urgent need of medical resources to respond to the coronavirus pandemic.

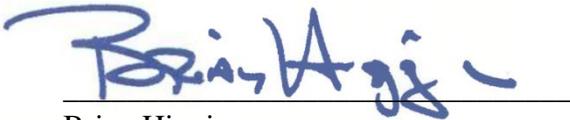
On March 18<sup>th</sup>, the Administration invoked the Defense Production Act (DPA) to respond to the nationwide shortage of critical medical resources. While working to combat the spread of coronavirus, hospitals and public health departments have confronted critical and chronic shortages of key materials and equipment to protect the public from community spread of COVID-19, safely treat those suffering, and ensure frontline health care workers are safe. The DPA confers broad presidential authorities to prioritize and incentivize production and allocation of critical materials and goods in the service of the national defense during a national emergency.

We are experiencing shortages of personal protective equipment (PPE) at the same time as we are seeing cases grow exponentially. There must be a concerted effort to domestically produce and source items like, N95 masks, protective gowns, face shields, and gloves, to protect frontline health care personnel from contracting the virus. It is imperative that our hospitals and health care organizations remain adequately staffed to continue to test and treat members of the public who have been exposed the virus.

For cases that require hospitalization, New York State does not have the capacity needed to provide the standard of care required. There are just simply not enough intensive-care beds or ventilators to allocate to hospitals statewide. The existing supply of ventilators is insufficient and new machines can be cost prohibitive. The DPA gives the Administration the authority to use financial incentives to boost production and procurement of these critical goods. I urge you to exercise this authority.

Although the Executive Order issued last week delegated to Health and Human Services Secretary Azar the authority to prioritize, allocate and distribute health and medical resources, I have yet to see a tangible response. New York State's health system is still suffering and our hospitals are fervently looking for supplies. It is within the Administration's authority to utilize domestic industry to meet the needs created by this national public health emergency. Again, I urge you to employ the authorities granted to you under this Act.

Sincerely,

A handwritten signature in blue ink that reads "Brian Higgins". The signature is written in a cursive style and is positioned above a horizontal line.

Brian Higgins  
Member of Congress