

United States Senate

WASHINGTON, DC 20510

COMMITTEES:
APPROPRIATIONS
COMMERCE
HEALTH, EDUCATION,
LABOR, AND PENSIONS

April 13, 2020

The President
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Trump,

I write today on behalf of Wisconsinites still in need of personal protective equipment (PPE) and critical medical supplies. I urge you to act now to deliver the assistance states have requested and need before it is too late.

Our nation's response to this pandemic is contingent upon a cohesive national strategy, and a coordinated effort to ensure that supplies are made available where they are needed most. States are on the frontlines of the response to this pandemic, and your administration has continuously failed to provide them with the leadership and supplies they desperately need. Wisconsin anticipates that cases of COVID-19 will continue to grow, and the state needs immediate assistance from the federal government to ensure we have the PPE to keep our frontline workers safe, ventilators and associated medications for those with serious cases of COVID-19, and the supplies needed to conduct testing for COVID-19.

Wisconsin has only received a fraction of the supplies it has requested from the Department of Health and Human Services (HHS) and from the Federal Emergency Management Agency (FEMA). In addition, some outstanding orders from Wisconsin entities have been redirected, including an order of 1,000 N95 masks ordered by the Brown County Sheriff's Department and the Green Bay Police Department, as reported by the *Green Bay Press Gazette* on April 10. Furthermore, despite several official agency requests, multiple congressional letters, and public pleas from our Governor, my home state has yet to receive a single ventilator. Throughout this entire crisis, HHS and FEMA have failed to provide a sufficient explanation or any transparency on how decisions are made with respect to disbursement, other than to offer that these vital and limited supplies, such as PPE and ventilators, are delivered to "hot spots." It is unclear how your ever-changing response team defines "hot spot" and there appears to be no strategy for delivering PPE and ventilators to areas of future need.

Moreover, the fact that the federal government is rejecting requests from states makes clear that the federal government has failed to secure the level of production of ventilators and PPE that we need. According to documents recently released by the House Oversight and Government Reform Committee, ninety percent of the supplies of PPE in the Strategic National Stockpile (SNS) have been depleted and industry will be unable to deliver at a pace that meets demand.

Unfortunately, ventilators and PPE are not the only critical supplies in shortage. Patients that are placed on ventilators require specific medications, including sedatives. A recent estimate from the American Hospital Association found that almost one million Americans could require ventilation, and that demand for related sedatives has increased substantially. Furthermore, your promotion of hydroxychloroquine as a “treatment” for COVID-19 has contributed to another shortage. This drug, which is approved for treatment of chronic conditions such as lupus, is not approved for treatment of COVID-19. Encouraging its use for COVID-19 puts people at risk, and jeopardizes access for those who truly need it. Finally, Wisconsin is experiencing a shortage of supplies needed to conduct tests for COVID-19, including nasopharyngeal (NP) swabs. Without these swabs, public health officials are left in the dark, unable to properly diagnose and care for those who are sick. These critical shortages demand your full attention immediately.

Our response to this crisis could have been bolstered by early interventions and information. According to media reports, intelligence community analysts had warned that a novel coronavirus could be a cataclysmic event as early as November and reports about the virus began appearing in the President’s Daily Brief in early January. Yet it appears you did not take action to ramp up the production of any critical supplies in preparation.

The Defense Production Act (DPA) allows you to increase the production of PPE and medical supplies like ventilators to meet an increase in demand. You should have taken full advantage of this tool before we reached a crisis point, and you can and should be taking action now to meet our current demand. In addition to utilizing your existing authority, I have introduced legislation that would require you to implement the DPA to ramp up production of needed supplies. And through the passage of the CARES Act (P.L. 116-136), Congress has provided you with the tools and funding to make an immediate and lasting impact. The CARES Act gave the DPA account a \$1 billion increase, which should immediately be spent to incentivize the development of new equipment and supplies for COVID-19 response and preparedness. The legislation also increased funding for the SNS from \$705 million to over \$16 billion. You should immediately use the funding provided by Congress to replenish the stockpile so supplies can move quickly to states.

It is past time that you take action to demonstrate leadership and support our states. I look forward to your response and more importantly, to the action you will take to address these concerns.

Sincerely,

A handwritten signature in blue ink that reads "Tammy Baldwin". The signature is written in a cursive, flowing style.

Tammy Baldwin
United States Senator