

Bipartisan Bill Would Mandate Federally Purchased PPE Be Made in the USA

BY [CATHALIJNE ADAMS](#) WEDNESDAY, JULY 29, 2020



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Lawmakers want the Berry Amendment to apply to key federal PPE contracts.

Months after the onset of the COVID-19 pandemic, the United States is far from having enough personal protective equipment (PPE) to meet the needs of our nation's healthcare workers.

But don't take our word for it. That's [the opinion](#) of Lisa Ishii, a head and neck surgeon who works at senior vice president of operations for Johns Hopkins Health System.

Ishii outlined some of the challenges she and other health officials have faced in procuring PPE in a recent article for Vox, writing that America's dependence on China for PPE had "major consequences." And although the costliness of domestically produced PPE that Ishii spotlights in her article is a valid concern, the best solution to this problem irrefutably remains within the United States.

America has long glutted itself on cheap foreign goods manufactured through the exploitation of workers, and [in some cases slave labor](#), compromising our ability to respond to crises during disruptions to the global supply chain.

Lawmakers on Capitol Hill have [woken up to this issue](#) over the past few months, and new bipartisan legislation introduced on Wednesday adds to efforts to support American manufacturers.

The American PPE Supply Chain Integrity Act, introduced by Reps. Bill Pascrell (D-N.J.) and Patrick McHenry (R-N.C.) would apply the Berry Amendment standard, a longstanding Department of Defense (DoD) regulation that mandates purchasing preference for Made in USA goods such as textiles, to the purchase of PPE by the DoD.

The requirement also would apply to the Department of Health and Human Services, Department of Homeland Security, and the Department of Veterans Affairs.

“The ongoing pandemic has exposed America’s over-reliance on personal protective equipment made in other countries. In a cruel twist of irony, we are especially dependent on medical supplies made in China, where COVID-19 originated and whose totalitarian secrecy deepened the world crisis,” Pascrell said. “Our reliance on non-American-made PPE has crippled our response to COVID from the start. Even as we continue to fight the virus, we must use this painful lesson to change our behavior now.”

Since the start of the COVID-19 pandemic, the United States has scrambled to establish a U.S. supply chain for PPE. But, if these supply chains are expected to serve not only our current needs but also offer long-term preparation, the federal government must support U.S. manufacturers, as the Alliance for American Manufacturing urged [in a letter to Congress](#) this week.

“The COVID-19 pandemic has made it painfully clear that the United States has failed its hospitals and frontline healthcare workers because of our over-reliance on Chinese-made PPE,” McHenry said. “By returning production of PPE to the United States, we will address the concerns raised by the current crisis while also incentivizing future investments in high quality PPE made by American companies, ensuring the long-term protection of our hospitals and frontline healthcare workers.”

Added Pascrell: “Our bipartisan American PPE Supply Chain Integrity Act will ensure we are investing in the best tools in the world at our disposal by making our own PPE right here in America. Encouraging production of medical supplies within our borders will ultimately help our economy, create jobs, ensure higher-grade equipment, and most importantly save American lives. This cannot wait until the next pandemic.”

McHenry and Pascrell’s proposed bill would also change the PPE contract amount at which the Berry Amendment is applied from \$250,000 to \$150,000 to offer more opportunities for domestic production.

The items covered by the Berry Amendment extension through the American PPE Supply Chain Integrity Act would include equipment like surgical masks, isolation gowns, sanitizing wipes, testing swabs and beds. And, as with the Berry Amendment's current applications, implementation of the Berry Amendment to federal purchasing of PPE would be waived if Made in USA items are not of satisfactory quality or quantity.

Importantly, the American PPE Supply Chain Integrity Act would help manufacturers not only meet the needs of hospitals like Johns Hopkins now, but also stabilize the future of the domestic medical equipment supply chain.

"Re-creating the successful domestic purchasing rules found in the Berry Amendment for all federal PPE purchases will not only help our country reduce its overreliance on China for PPE but also provide longer term support for our domestic supply chain that has supplied hundreds of millions of urgently needed items," Council of Textile Organizations President and CEO Kim Glas said.