

1 [Urging the President of the United States to Exercise the Full Powers of the Defense
2 Production Act During the COVID-19 Emergency]

3 **Resolution urging the President of the United States to exercise his powers under the**
4 **Defense Production Act to compel private manufacturers, insurance providers, and**
5 **healthcare providers to produce personal protective equipment and provide free**
6 **testing and other critical healthcare needs during the COVID-19 State of Emergency.**

7
8 WHEREAS, On March 11, 2020, the World Health Organization declared the novel
9 Coronavirus, COVID-19, a pandemic and urged countries to take urgent action to stop the
10 virus; and

11 WHEREAS, The World Health Organization and United States intelligence agencies
12 repeatedly briefed the President of the United States (President) on the emergence of
13 COVID-19 and the threat it posed to Americans throughout January and February 2020; and

14 WHEREAS, The President’s decision not to utilize COVID-19 tests offered by the
15 World Health Organization in February 2020 severely inhibited our nation’s capacity to
16 monitor and control the spread of COVID-19; and

17 WHEREAS, The Defense Production Act of 1950 authorizes the President to require
18 private companies to sign contracts, fulfill orders, and allocate materials, services, and
19 facilities deemed necessary for national defense; and

20 WHEREAS, The Act also authorizes the President to requisition property, force
21 industry to expand production and the supply of basic resources, impose wage and price
22 controls, and allocate raw materials towards national defense; and

23 WHEREAS, The Act has been utilized periodically since the Korean War to impose
24 price controls, regulate production, develop new technologies, compel disclosure of
25

1 information, and compel the provision of essential services during national emergencies
2 including wars and natural disasters; and

3 WHEREAS, on March 18, 2020, the President announced his intention to invoke the
4 Defense Production Act to expand production of essential medical supplies in response to the
5 COVID-19 pandemic; and

6 WHEREAS, According to the President's statements on Twitter as of March 24, 2020,
7 his administration has not yet utilized the Act to compel companies to produce essential
8 protective gear and medical devices; and

9 WHEREAS, The President's statements contradict those of the Federal Emergency
10 Management Agency (FEMA) Administrator, who claims the Administration is using the Act to
11 compel production of face masks; and

12 WHEREAS, The President has repeatedly expressed his reluctance to exercise the
13 powers of the Act to compel private companies, and inaccurately claimed he was utilizing the
14 act, when, in fact, he was not; and

15 WHEREAS, The Speaker of the House and Senate Minority Leader have both urged
16 the President to use the powers of the Act to compel mass production and distribution of
17 critical supplies including ventilators, swabs, and personal protective equipment; and

18 WHEREAS, Our ability to minimize loss of life resulting from the COVID-19 pandemic
19 at a local, state, and national level is largely dependent on our Federal government's
20 commitment to executing the rapid expansion of public health infrastructure necessary to
21 provide adequate medical care to all who contract COVID-19; and

22 WHEREAS, In 2018, over 27 million people living in the US did not have health
23 insurance; and

24
25

1 WHEREAS, Individuals without health insurance frequently delay seeking medical
2 care, or decline to seek it at all, due to prohibitively expensive costs and the potential of
3 incurring crushing debt; and

4 WHEREAS, For the purposes of minimizing loss of life and the spread of the virus, it is
5 essential that anyone who may have contracted COVID-19 immediately seek medical advice
6 and care; and

7 WHEREAS, It is unclear based on conflicting accounts provided by the President and
8 his Administration whether they are using the powers of the Act, and if so, to what extent;
9 now, therefore, be it

10 RESOLVED, That the San Francisco Board of Supervisors hereby urges the President
11 to exercise the full powers of the Defense Production Act to compel all capable private
12 companies to produce COVID-19 tests, face masks, ventilators, and other essential medical
13 devices; and, be it

14 FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby urges
15 the President to exercise the full powers of the Defense Production Act to compel insurance
16 and healthcare providers to provide healthcare, free of cost, for all uninsured individuals for
17 the duration of the COVID-19 emergency; and, be it

18 FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby urges
19 the President to exercise the full powers of the Defense Production Act to compel insurance
20 and healthcare providers to provide healthcare, free of cost-sharing, for all insured individuals
21 for the duration of the COVID-19 emergency.

22
23
24
25



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Resolution

File Number: 200318

Date Passed: March 31, 2020

Resolution urging the President of the United States to exercise his powers under the Defense Production Act to compel private manufacturers, insurance providers, and healthcare providers to produce personal protective equipment and provide free testing and other critical healthcare needs during the COVID-19 State of Emergency.

March 31, 2020 Board of Supervisors - ADOPTED

Ayes: 10 - Fewer, Haney, Mandelman, Mar, Preston, Ronen, Safai, Stefani, Walton and Yee
Absent: 1 - Peskin

File No. 200318

I hereby certify that the foregoing Resolution was ADOPTED on 3/31/2020 by the Board of Supervisors of the City and County of San Francisco.

[Handwritten signature of Angela Calvillo]

Angela Calvillo
Clerk of the Board

Unsigned

4/10/20

London N. Breed
Mayor

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

[Handwritten signature of Angela Calvillo]

Angela Calvillo
Clerk of the Board

4/10/2020

Date