



FEMA

March 9, 2022

SENT VIA E-MAIL TO: foia@americanoversight.org

Mehreen Rasheed
American Oversight
1030 15th Street, NW
Washington, DC 20005

Re: FOIA 2021-FEFO-00311 Final Response

Dear Mr. Rasheed:

This is the final response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), dated April 29, 2020 and received in this office on February 03, 2021. You are seeking select records and communication regarding COVID-19 supply distribution in Somerset County, NJ.

We conducted a search of FEMA's Office of the Defense Production Act – Coordination (DPA-C), the Office of the Administrator – National Advisory Council (OA-NAC), the Office of the Chief Information Officer (OCIO) and the Offices of Region I (R1), Region II (R2), Region III (R3), Region IV (R4), Region VI (R6), Region VIII (R8) and Region X (R10) for documents responsive to your request. The search produced a total of 10 pages. Of those pages, I have determined that nine (9) pages of the records are releasable in their entirety and one (1) page is partially releasable pursuant to Title 5 U.S.C. §552(b)(6), FOIA Exemption 6.

FOIA Exemption 6 exempts from disclosure of personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right to privacy. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

Within this instance, we withheld email addresses.

You have the right to appeal if you disagree with FEMA's response. The procedure for administrative appeals is outlined in the DHS regulations at 6 C.F.R. §5.8. In the event you wish to submit an appeal, we encourage you to both state the reason(s) you believe FEMA's initial determination on your FOIA request was erroneous in your correspondence, and include a copy of this letter with your appeal. Should you wish to do so, you must send your appeal within 90 working days from the date of this letter to fema-foia@fema.dhs.gov, or alternatively, via mail at the following address:

FEMA
Office of the Chief Administrative Officer
Information Management Division (FOIA Appeals)
500 C Street, SW, Seventh Floor, Mail Stop 3172
Washington, D.C. 20472-3172

As part of the 2007 amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies.

You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road- OGIS
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Web: <https://ogis.archives.gov>
Telephone: 202-741-5770/Toll-free: 1-877-684-6448
Facsimile: 202-741-5769

There is no charge for this FOIA request. As this concludes the processing of your request, it will be closed.

If you need any further assistance or would like to discuss any aspect of your request, please contact the assigned FOIA Specialist at john.maniha@fema.dhs.gov and refer to FOIA case number 2021-FEFO-00311. You may also contact someone at fema-foia@fema.dhs.gov, or (202) 646-3323, and you may contact our FOIA Public Liaison in the same manner. For a faster response please email the assigned FOIA specialist directly.

Sincerely,



Gregory Bridges
Chief
Disclosure Branch
Information Management Division
Mission Support

Enclosures: Responsive Records (10 Pages) multiple records

From: Dispaldo, Andrea
Sent: 10 Aug 2020 20:04:40 +0000
To: Nilsson, Carrie
Cc: Wolslayer, Kelly;Belzer, James
Subject: FOIA Request- info
Attachments: DPA Order GKM.pdf, IndutexUSA letter about N95 masks - FEMA.pdf

From: Green, Daniel W <Daniel.Green@fema.dhs.gov>
Sent: Tuesday, April 21, 2020 12:19 PM
To: Dispaldo, Andrea <Andrea.Dispaldo@fema.dhs.gov>
Subject: FW: Pilots PPE

From: Polaneczky, David <david.polaneczky@fema.dhs.gov>
Sent: Tuesday, April 21, 2020 12:12 PM
To: Green, Daniel W <Daniel.Green@fema.dhs.gov>
Subject: FW: Pilots PPE

FYSA

Regards,

David Polaneczky
Threat Analyst Unit Lead | Region Watch | Region 3
Mobile: (202) 716-4364
david.polaneczky@fema.dhs.gov

Federal Emergency Management Agency
[fema.gov](https://www.fema.gov)



FEMA

From: Brennan, Lisa (FTA) <lisa.brennan@dot.gov>
Sent: Friday, April 17, 2020 3:25 PM
To: Polaneczky, David <david.polaneczky@fema.dhs.gov>
Subject: FW: Pilots PPE

Lisa Brennan
Regional Emergency Transportation Representative-Region III
U.S. Department of Transportation

(VA, MD, DC, WV, DE, PA)
1200 New Jersey Ave S.E., E43-478
Washington DC 20590
(202) 366-9138 (office)
(202) 360-1993 (cell)

From: Jerry Medd [mailto:(b)(6)@delpilots.com]
Sent: Tuesday, April 14, 2020 12:12 PM
To: nbeoc@max.gov; nbeoc@fema.dhs.gov
Cc: Brennan, Lisa (FTA (b)(6)@dot.gov>; emilio.j.(b)(6)@uscg.mil; Jon Kemmerley (b)(6)@delpilots.com>; Clay Diamond (b)(6)@aol.com>
Subject: Pilots PPE

To whom it may concern:

Each of the Nation's 24 coastal states has a Pilot group that is compelled by law to board and safely navigate every foreign flag ship to keep the supply chain and the flow of commerce moving (95% of large ocean-going vessels moving in U.S. waters are foreign flag). Pilot groups around the country are having a tough time securing PPE for Pilots. Currently we are using ear loop surgical masks and are looking to purchase N95's. We have secured a vendor (Indutex USA) and were scheduled for delivery this week. Indutex informed us they received a notice on Saturday, April 11, from the U.S. Attorney's office - District of New Jersey signed by Pete Gaynor ordering the sale of N95's to FEMA.

The N95's FEMA has commandeered were bound not only to Pilots from the Bay & River Delaware, but also to Pilot groups all over the nation. This PPE is vital to keeping the Nation's supply chain moving.

We are not looking to take resources from first responders or health care workers, but we need resources to protect Pilots going to ships with known Covid-19 symptoms on board.

Attached please find the order from Pete Gaynor and a letter from Indutex USA.

Warm regards,

Jerry Medd

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Jerry Medd
The Pilots' Association for the Bay & River Delaware
41 Cape Henlopen Drive
Lewes, DE 19958

(C) (b)(6)

(O)

DX-HR Rated Order and Allocation Order

Issued Pursuant to 50 U.S.C. § 4511(a) and Executive Order 13911

I. This is a DX-HR rated order certified for national defense use. This rated order is placed for the purpose of emergency preparedness. It must be accepted or rejected within two (2) days after receipt of the order if: (A) The order is issued in response to a hazard that has occurred; or (B) If the order is issued to prepare for an imminent hazard.

The delivery date for this order is one (1) day after it has been accepted. If you cannot meet this deadline, you are required to inform us of the earliest date on which delivery can be made. This is also an allocation order certified for national defense use. GKM Supply LLC and GKM Supply LLC DBA Indutex USA, 119 Cromwell Drive, Lincoln University, Pennsylvania 19352 – 1120, are required to comply with this order, in accordance with the provisions of the Federal Priorities and Allocations System.

II. In Executive Order 13909, the President determined, under the authority provided under 50 U.S.C. § 4511, that personal protective equipment needed to respond to the novel Coronavirus Disease 2019 (COVID-19) Outbreak are scarce and critical materials essential to the national defense and that the requirements of the national defense for such materials cannot otherwise be met without creating a significant dislocation of the normal distribution of such materials in the civilian market. Pursuant to the authority delegated to the Secretary of Health and Human Services (HHS) under Executive Order 13910, the Secretary designated these products as scarce and threatened materials with respect to which hoarding is prohibited.

On January 31, 2020, the Secretary of HHS declared the COVID-19 Outbreak a public health emergency under the Public Health Service Act. On March 11, 2020, the World Health Organization declared COVID-19 a pandemic. On March 13, 2020, the President issued a Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak. On March 27, 2020, the President issued Executive Order 13911, which delegated jointly to the Secretary of HHS and the Secretary of Homeland Security (DHS) the President's authority under section 101 of the Defense Production Act of 1950, 50 U.S.C. § 4501 et seq., and authorized the HHS and DHS Secretaries to take other actions under the DPA to respond to the spread of COVID-19 within the United States. The Secretary of DHS delegated authority under Executive Order 13911 to the undersigned, the Administrator of the Federal Emergency Management Agency (FEMA) in DHS Delegation 09052, Revision Number 00.1, "Delegation of Defense Production Act Authority to the Administrator of the Federal Emergency Management Agency."

III. This allocation order represents a:

XX Set-aside. You are required to reserve materials, services, or facilities capacity in anticipation of the receipt of rated orders as described below;

 Directive. You are required to take or refrain from taking certain actions as described below;

XX Allotment. You are required to take action to allot the quantity of materials, or services or reserve the facility for the specific use as described below.

IV. Description of materials, services, or facilities covered by the rated order and allocation order

Pursuant to the authority delegated to the Secretary of DHS by Executive Order 13911, and subsequently delegated to me by DHS Delegation 09052, Revision Number 00.1, I hereby issue the following order regarding the purchase and allocation of specific health resources. This order is necessary and appropriate to promote the national defense and to respond to the COVID-19 outbreak.

GKM Supply LLC and GKM Supply LLC DBA Indutex USA ("GKM") are ordered to sell to FEMA the following items in their actual or constructive possession: all filtering facepiece respirators, including the N95 respirators contained within shipment number 8994645378 that arrived at JFK Airport, for GKM, on or about April 6, 2020; and all PPE face masks and surgical masks, in accordance with this order. GKM is also ordered to set aside all filtering facepiece respirators, including the N95 respirators contained within shipment number 8994645378 that arrived at JFK Airport, for GKM, on or about April 6, 2020; and all PPE face masks and surgical masks, and not to sell, distribute, or otherwise dispose of any such materials throughout the effective dates of this allocation. GKM is also ordered to set aside all filtering facepiece respirators, including N95 respirators, and all PPE face masks and surgical masks, that come into its actual or constructive possession during the duration of this order for potential sale to FEMA or other entities, and to inform FEMA if and when such materials come into its actual or constructive possession. Thereafter, the materials shall be allocated to the Strategic National Stockpile pending further distribution as I shall determine is necessary to combat the COVID-19 pandemic.

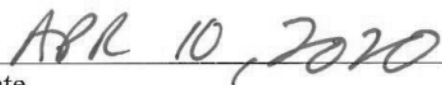
V. Allocation action start and end dates

The start date for this Allocation Order is the date you receive this directive. You are directed to acknowledge receipt of the order by email addressed to the Office of the Assistant Secretary for Preparedness and Response, 202-205-8114, OS-ASPR@hhs.gov. This order is to be implemented notwithstanding any State or local (i) orders (including state court orders or decrees) to the contrary or (ii) requirements that may impede the implementation of this order. You are to comply with Section IV immediately upon receipt of this Allocation Order. The end date of this order is June 1, 2020.

VI. Mandatory acceptance of this order

- (a) Except as otherwise specified in paragraph (c) you must accept and comply with this order.
- (b) You may not discriminate against this order in any manner such as by charging higher prices for materials, services, or facilities covered by the order or by imposing terms and conditions for contracts and orders involving allocated materials, services, or facilities that differ from your terms and conditions for contracts and orders for the materials, services, or facilities prior to receiving the allocation order.
- (c) If you are unable comply fully with the required action(s) specified in this order you must immediately notify the Administrator of FEMA. You must explain the extent to which compliance is possible and provide reasons why full compliance is not possible. You may provide verbal notification, but you must provide written or electronic confirmation within five (5) working days of your providing verbal notification. Such notification, whether verbal, written, or electronic does not release you from complying with this order to the fullest extent possible, until you are notified by FEMA that the order has been changed or cancelled. Failure to comply fully with this order is a crime punishable by a fine of not more than \$10,000 or imprisonment for not more than one year, or both.


Pete Gaynor
FEMA Administrator


Date



IndutexUSA, a division of GKM Supply LLC
119 Cromwell Drive
Lincoln University, PA 19352
302-351-4079 ph
www.IndutexUSA.com

April 12, 2020

To Our Valued Customers:

As you may know, on April 5, 2020, we had 100,000 N95 respirators land at JFK airport. We have called or emailed every day anxiously waiting for them to clear customs and be delivered to our Newark, Delaware warehouse.

On Saturday, April 11th at 5pm, we received a letter from the US Attorney's Office – District of New Jersey with DPA attached. The attachment was from a FEMA Administrator stating that

"the Secretary of DHS by Executive Order 13911.... I hereby issue the following order regarding the purchase and allocation of specific health resources. This order is necessary and appropriate to promote the national defense and to respond to the COVID-19 outbreak. GKM Supply LLC doing business as IndutexUSA is ordered to sell to FEMA the following items..." (they specifically mentioned our N95 respirators that arrived at JFK Airport on or about April 6, 2020.)

On Saturday evening, I emailed my response to the US Attorney's Office requesting more clarification. I told FEMA that I currently have orders in my system for these masks and I would like to fill my orders first, then send the remaining masks to FEMA.

I am currently waiting to hear back from FEMA.

If FEMA allows us to fill our orders, you will receive N95 masks within 24 hours of them arriving at our warehouse.

If FEMA does not allow us to fill our orders, I will find someone in the safety industry who has N95 masks in stock and I will refer you to them so that you may purchase your PPE. Obviously, anyone who has prepaid for our N95 masks will receive a full refund.

I apologize for any inconvenience this may have caused you and your organization. As soon as I hear back from FEMA or the US Attorney's Office, I will inform you of our path moving forward.

Until then, we have thousands of ear loop masks in stock, available for immediate shipments.

Thank you for your understanding during these unprecedented times.

Stay Safe!

A handwritten signature in black ink, appearing to read "George Gianforcaro".

George Gianforcaro

President
IndutexUSA

DHS-FEMA-20-1107-B-000005

From: Dispaldo, Andrea
Sent: 10 Aug 2020 20:05:05 +0000
To: Nilsson, Carrie
Cc: Wolslayer, Kelly; Belzer, James
Subject: FOIA request- Info
Attachments: COVID DPA Status Tracker 4 17 2020.xlsx

From: Wolslayer, Kelly <kelly.wolslayer@fema.dhs.gov>
Sent: Saturday, April 18, 2020 1:00 PM
To: Dispaldo, Andrea <Andrea.Dispaldo@fema.dhs.gov>; Whitesell, Steven <Steven.Whitesell@fema.dhs.gov>
Subject: FW: DPA information

Just SA

Kelly Wolslayer
Director | Response Division | FEMA Region 3
Office: (215) 931-5778 | Mobile: (267) 250-3657
Regional Watch Center: (215) 931-5757
Kelly.Wolslayer@fema.dhs.gov

Federal Emergency Management Agency
[fema.gov](https://www.fema.gov)



FEMA

“Alone, we can do so little; together, we can do so much.”

- Helen Keller, Activist

From: Wind, Jason <Jason.Wind@fema.dhs.gov>
Sent: Friday, April 17, 2020 5:42 PM
To: Biasco, Lon <Lon.Biasco@fema.dhs.gov>; Roy, William <william.f.roy@fema.dhs.gov>; Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>
Cc: Response-Regional Response Directors <Response-RegionalResponseDirectors@fema.dhs.gov>
Subject: RE: DPA information

Jason Wind
DHS/FEMA Region II
Response Division Director
Office #: (212) 680-8575
Cell #: (917) 731-9270
Fax #: (540) 504-2850
Jason.Wind@FEMA.DHS.gov

From: Biasco, Lon <Lon.Biasco@fema.dhs.gov>
Sent: Friday, April 17, 2020 5:31 PM
To: Roy, William <william.f.roy@fema.dhs.gov>; Wind, Jason <Jason.Wind@fema.dhs.gov>; Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>
Cc: Response-Regional Response Directors <Response-RegionalResponseDirectors@fema.dhs.gov>
Subject: Re: DPA information

Sorry did this DPA list get pushed out

Get [Outlook for iOS](#)

From: Roy, William <william.f.roy@fema.dhs.gov>
Sent: Saturday, April 11, 2020 5:24:01 AM
To: Wind, Jason <Jason.Wind@fema.dhs.gov>; Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>
Cc: Response-Regional Response Directors <Response-RegionalResponseDirectors@fema.dhs.gov>
Subject: RE: DPA information

Jason,
Already working it. Will report back to all on what we find

V/R

Will

william.f.roy@fema.dhs.gov
Office: 202-212-3321
Cell: 202-716-4361

From: Wind, Jason <Jason.Wind@fema.dhs.gov>
Sent: Saturday, April 11, 2020 8:21 AM
To: Roy, William <william.f.roy@fema.dhs.gov>; Dozor, Joshua <Joshua.Dozor@fema.dhs.gov>
Cc: Response-Regional Response Directors <Response-RegionalResponseDirectors@fema.dhs.gov>
Subject: DPA information

Can you gentlemen please send all of the Response DD's a list of DPA actions currently happening in the U.S. Government. One of my FCO's got embarrassed in front of a State for stating the Government didn't have an existing contract/DPA with Philips. Besides feeling like a fool himself, it didn't do anything to further the credibility of the Agency to the State. Thanks

Jason Wind
DHS/FEMA Region II
Response Division Director
Office #: (212) 680-8575
Cell #: (917) 731-9270
Fax #: (540) 504-2850
Jason.Wind@FEMA.DHS.gov

Status	Tracker ID	DPA Request (Item)	Request Type	Quantity	Vendor	US Personnel Authorized to Use (Approved for Construction)			Related POTUS Action	Date of USG	Date at WHIT	USG Rec.	WHIT Decision	Notes	Color Codes	Complete	In WHIT Process	In USG Process	In WHIT DPA or in WHIT Process
						Secretary of Defense	Request Date	Responsible Agency											
Completed	A1	In order DPA priority rating to the HHS contract and allow the rating to apply down to the sub-contract.	Routine Request	500 million N95 masks over 18 months for the HHS	HHS	HHS		HHS	March 27, 2020 as Delegating Additional Authority under the DPA with Request to Health and Medical Resources to Respond to the Spread of COVID-19	3/26/20	3/26/20	Rec. approve	Approved						
Completed	A2	To add DPA priority ratings on contracts for personal protective equipment and sanitation supplies needed for COVID response.	Routine Request	Process Change, see item request	All	EDMS		HHS and DHS/EDMS	March 27, 2020 as Delegating Additional Authority under the DPA with Request to Health and Medical Resources to Respond to the Spread of COVID-19	3/26/20	3/26/20	Rec. approve	Partial Approval	Market authorization to place standby language on contracts, but for implementation the Title II authority requires another review by the WHIT.					
Completed	A3	After existing contract between Michigan and mask distributor, Michigan Governor and DHS priority rating on masks could be redirected elsewhere for case response.	Routine Request	1 million boxes of N95 masks	BM for Michigan (Dental Distributor)	HHS/EDMS	3/30/20	Michigan	March 27, 2020 as Delegating Additional Authority under the DPA with Request to Health and Medical Resources to Respond to the Spread of COVID-19				Request Withdrawn						
Completed	A4	To use the approved civil DPA DO prioritization ratings for a 30 contract for N95 masks.	Routine Request	50 million N95 masks	BM from their Asia manufacturers	White House Policy	4/2/20	HHS	April 2, Memorandum on Order under the Defense Production Act Regarding BM Company	4/2/20		Request Withdrawn	Rec. approve	Request withdrawn. OEL POTUS issued an executive action requiring the use of any and all DPA authorities to facilitate the production of masks manufactured by BM.					
Completed	A5	To alter an existing March 28 contract between the Philips Company and to add the DPA DO rating to the contract so to add will have the same DPA prioritization.	Routine Request	More than 800 ventilators before June 30	Philips Company CEO	Philips Company CEO	3/30/20	HHS	April 2, Memorandum on Order under the Defense Production Act Regarding the Purchase of Ventilators	3/30/20		Request Withdrawn	Rec. approve	Request withdrawn. OEL 4/3/20 POTUS memo directing the use of any and all DPA authorities to facilitate the production of ventilators by select manufacturers.					
Completed	A6A	Use DO priority ratings for all contracts with the 11 identified ventilator manufacturers to help ensure delivery timelines are met.	Routine Request	100-42 ventilators through June 30	GE, Philips, DSI, Ventec, Hamilton, Solaris, Vyaire, Hamilton, Asahi, and AsahiMed	Supply Chain Task Force	4/2/20	HHS	April 2, Memorandum on Order under the Defense Production Act Regarding the Purchase of Ventilators				Request Withdrawn	Request withdrawn. OEL 4/3/20 POTUS memo directing the use of any and all DPA authorities to facilitate the production of ventilators by select manufacturers.					
Completed	A6	Provide priority performance on purchase of industrial equipment, tooling, and related services to support HHS/EDMS awarded production capacity.	Routine Request	500 million N95 masks over 18 months	1 week contract awarded	HHS/EDMS	4/1/20	HHS/EDMS	March 27, 2020 as Delegating Additional Authority under the DPA with Request to Health and Medical Resources to Respond to the Spread of COVID-19	4/1/20		Disapprove		USG request to rescope request to develop a plan of action for the Title II request. See item A6.					
Completed	A6A	For direction from USG, request of HHS to provide authorization to EDMS to develop a Title II plan to increase speed and volume of N95 production across domestic manufacturers.	Routine Request	500 million N95 masks over 18 months	1 week contract awarded	HHS/EDMS	4/2/20	HHS/EDMS	March 27, 2020 as Delegating Additional Authority under the DPA with Request to Health and Medical Resources to Respond to the Spread of COVID-19	4/2/20	4/3/20	Rec. approve	Approved	Title II investments may include capital investment and purchase of industrial equipment, tooling, and related services (e.g., construction and tooling). EDMS assessed that current market conditions will not drive the rapid scaling required and the use of DPA authorities is required. WHIT approved on 4/3/20.					
Completed	A7	Authorization to place Title II priority rating on contracts for food and industrial resources issued by FEMA.	Routine Request	Process Change, see request item	All	FEMA	4/2/20	DHS/FEMA	March 27, 2020 as Delegating Additional Authority under the DPA with Request to Health and Medical Resources to Respond to the Spread of COVID-19	4/2/20	4/3/20	Rec. approve	Disapproved	WHIT needs contract specific information prior to approving the request. No market request will be authorized. Denial on 4/10.					
Completed	A8	Authorize the Secretary of Health and Human Services to use "50 designations" for DPA. Authorize the Secretary of Health and Human Services to use Title II incentives for General Motors and DSI.	Routine Request			Supply Chain Task Force	4/4/20	HHS	March 27, 2020 as Delegating Additional Authority under the DPA with Request to Health and Medical Resources to Respond to the Spread of COVID-19	4/4/20		Disapprove		USG requested that reference to Title II be removed from the request. New request is A6A.					
Completed	A8A	For direction from the USG, request to authorize HHS to place a 30 priority rating on the ventilator contract with DSI.	Routine Request	All relevant orders	DSI	FEMA/Supply Chain Task Force	4/4/20	HHS	March 27, 2020 as Delegating Additional Authority under the DPA with Request to Health and Medical Resources to Respond to the Spread of COVID-19	4/4/20	4/7/20	Rec. approve	Approved	WHIT approved on 4/10.					
Completed	A9	To add DO priority ratings for PPE and sanitizing materials for DPA mission essential functions.	Routine Request	All relevant orders	All relevant vendors	DSI	4/5/20	DHS/DO	March 27, 2020 as Delegating Additional Authority under the DPA with Request to Health and Medical Resources to Respond to the Spread of COVID-19	4/5/20		Disapprove		USG requested that the Joint DPA Office rework the request to provide additional information on the types of items being requested, per new guidance from the WHIT. JDO returned the request to DHS/DO on 4/10 to provide additional information.					
In Process with DO	A10	To add priority ratings to DSI's Joint Program Executive Office for Chemical, Biological, Radiological and Nuclear Defense orders for testing and diagnostic supplies.	Routine Request	List included with request	Vendors for items not provided	DSI's Joint Program Executive Office for Chemical, Biological, Radiological and Nuclear Defense	4/5/20	HHS or DHS/EDMS to Authorize DO	March 27, 2020 as Delegating Additional Authority under the DPA with Request to Health and Medical Resources to Respond to the Spread of COVID-19	4/5/20		Disapprove		USG requested that the Joint DPA Office rework the request to provide additional information on the types of items DSI was looking to procure with priority ratings, per new guidance from the WHIT. JDO returned the request to DSI on 4/10 to provide additional information.					
In Process with DO	A11	To add Title II DPA priority ratings for DSI's Joint Program Executive Office for Chemical, Biological, Radiological and Nuclear Defense Treatment Facilities, both DSI and DSI/EDMS.	Routine Request	List included with request	Vendors for items not provided	DO Medical Community, specifically to Medical Treatment Facilities	4/5/20	HHS or DHS/EDMS to Authorize DO	March 27, 2020 as Delegating Additional Authority under the DPA with Request to Health and Medical Resources to Respond to the Spread of COVID-19	4/5/20		Disapprove		USG requested that the Joint DPA Office rework the request to provide additional information on the types of items DSI was looking to procure with priority ratings, per new guidance from the WHIT. JDO returned the request to DSI on 4/10 to provide additional information.					
Completed	A12	To authorize USG to use DPA Title II priority ratings to force contracts for the construction of alternate care facilities (breast) required for the COVID-19 response.	Expedited Request	All relevant orders	All relevant vendors	USG	4/5/20	HHS or DHS/EDMS to Authorize DO	March 27, 2020 as Delegating Additional Authority under the DPA with Request to Health and Medical Resources to Respond to the Spread of COVID-19	4/5/20	4/7/20	Rec. approve	Approved	Construction request originates from contract requirements from FEMA/EDMS Assignment to USG for construction of NCEM/EDMS Center in Chicago and the Joint Center in HHS. WHIT approved on 4/10.					
Completed	A13	To request DPA priority rating DO for ventilator orders for Cardinal Medical.	Routine Request	12,000	Cardinal Medical	FEMA	4/5/20	HHS	March 27, 2020 as Delegating Additional Authority under the DPA with Request to Health and Medical Resources to Respond to the Spread of COVID-19	4/5/20	4/7/20	Rec. approve	Approved	Approved by WHIT on 4/10.					
Completed	A14	Authorization to use Defense Production Act Title II funds with three awards to increase N95 production and accelerate HHS deliveries.	Routine Request	Open capacity for 263 million masks in the next 30 days.	Honeywell, OEM Request, and BM	Supply Chain Task Force	4/5/20	HHS/DO	March 27, 2020 as Delegating Additional Authority under the DPA with Request to Health and Medical Resources to Respond to the Spread of COVID-19	4/5/20	4/10/20	Rec. approve	Approved	WHIT approved on 4/11 through expedited process.					
In Process with DO	A15	Authorization to the Assistant of the Capital Subpriority ratings on contracts for ventilation supplies.	Routine Request	4,300 gallons of Purul hard cements, 14,000 packages of Purul sanitizing wipes, and 14,000 packages of Clorox sanitizing wipes.	GSIO, Inc., and Clorox Co.	Architect of the Capital	4/5/20	DHS/FEMA to authorize JOC	March 27, 2020 as Delegating Additional Authority under the DPA with Request to Health and Medical Resources to Respond to the Spread of COVID-19	4/5/20		Request Withdrawn		On 4/10, the SC-TP withdrew this request and asked that the issue be worked directly with the Act for alternative resolutions.					
In Process with DO	A16	Request to use DPA Title II to provide priority performance ratings for the purchase of necessary capital equipment and related services, to modify state on production of needles and syringes. (Project Janssen)	Routine Request	HHS list equipment commitment is 30 million units.	Agilent Systems America	DO/HHS	4/7/20	HHS for contract award. DSI for DSI/EDMS appropriation	March 27, 2020 as Delegating Additional Authority under the DPA with Request to Health and Medical Resources to Respond to the Spread of COVID-19	4/7/20		Disapprove		On 4/10, the USG disapproved the request and returned to the DO for additional information.					

Status	Tracker ID	DPA Request (Item)	Quantity	Vendor	DPA Information Only: Requested Date Original Case #			Related DHS/US Action	Date at WH/FF	WH/FF Decision	Notes	Color Coding	Comments	In WH/FF Process	In USCB Process	In Joint DPA, FF or AA Process
					Source of Request	Request Date	Responsible Agency									
Complete	#1	Expedited N95 (M; Philip/Kennedy (M))					HHS	March 27, EO on Denigrating Additional Authority Under the DPA with Respect to Health and Medical Resources in Response to the Spread of COVID-19	3/26/20	Approved						
Complete	#2	Use DPA to detain source materials (ventilators) at JPL in the process of being shipped internationally, and mediate them to the SMC	20 ventilators	Bio-Med Devices, Inc. of Grafton, CT	Commerce with allocation order coordinated by DOS, HHS, and DHS	4/6/20	HHS	April 3, Memorandum on Allocating Certain Scams or Financial Health and Medical Resources to Domestic Use	4/6/20	Disapproved	White House Counsel Disapproved on 4/11/20. All ventilators have been cleared to be delivered to their intended destination. Ventilator Serial Numbers: T40910101, T40909002, T40909003, T40910106, T40909010, T40909011, T40909013, T40910102, T40909022, T40910108, T40910105, T40910104, T40909025, T40910109, T40909027					
Complete	#3	Require GDM Supply LLC and GDM Supply LLC DBA InMotion USA to sell all filtering facepiece respirators contained in shipment D88460378	All items	GDM	FEMA Administrator	4/30/20	DHS/FEMA	April 3, Memorandum on Allocating Certain Scams or Financial Health and Medical Resources to Domestic Use	N/A	N/A	Expedited request due to urgent need to ship shipment.					
In WH/FF Process	#4	Requires Medpro US, Inc. and NIDortho USA, of New York, to sell or not sell N95 and N95 respirators and surgical masks.	35,500 KN95/N95 respirators manufactured by 3M Medpro US subsequently received a shipment of 10,240 Bafanand KN95	Medpro US and NIDortho USA	DoI	4/16/20	DHS/FEMA	April 3, Memorandum on Allocating Certain Scams or Financial Health and Medical Resources to Domestic Use	4/17/20		On April 7, 2020, the FBI executed search warrants on two businesses, Medpro US and NIDortho USA that were selling KN95 and N95 respirators at prices well above prevailing market prices.					
In WH/FF Process	#5	Requires Richard Schrimps of New York to sell or not sell N95 respirators under his or Madison Avenue Pharmacy's possession.	6,800 N95 masks, most of which were manufactured by 3M	Richard Schrimps (individual)	DoI	4/16/20	DHS/FEMA	April 3, Memorandum on Allocating Certain Scams or Financial Health and Medical Resources to Domestic Use	4/17/20		On April 10, 2020, FBI executed search warrants on Schrimps's residence in Long Island, NY, Madison Avenue Pharmacy in New York City, and Schrimps's vehicle. The investigation revealed that Schrimps was selling N95 respirator masks for excessive prices.					