

United States Senate  
WASHINGTON, DC 20510

April 17, 2020

The Honorable Robert E. Lighthizer  
United States Trade Representative  
600 17th Street, NW  
Washington, DC 20508

Dear Ambassador Lighthizer:

We appreciate the actions that you have already taken together with the Department of Health and Human Services (HHS) to ensure that certain medical products are not subject to additional Section 301 tariffs. As you review comments on how to further modify 301 tariffs to respond to the COVID-19 national emergency, we strongly urge you to proactively provide immediate tariff exclusions for the inputs used by American manufacturers producing much-needed medical and personal protective equipment.

In our states, and across the country, we are seeing an extreme shortage of critical medical supplies needed to respond to the COVID-19 pandemic, including hand sanitizer, nasopharyngeal swabs, facemasks, ventilators, isolation gowns, and more. To help address these shortages, many U.S. companies that already make medical supplies have ramped up production, and companies in other industries have voluntarily begun transitioning to manufacturing these products.

We must support these American manufacturers to the fullest possible extent. To that end, we urge you to immediately and broadly suspend 301 tariffs on products identified by manufacturers as necessary inputs for the production of critical medical supplies. Furthermore, we ask that you work with HHS, the Federal Emergency Management Agency (FEMA), the Department of Commerce, industry, and other relevant experts to develop a list of inputs, substitutes, machinery, and other products that U.S. companies need to meet the current demand for medical supplies, that will be subject to 301 tariff exemptions. U.S. companies must be able to access the materials needed to manufacture critical medical supplies without the added cost of 301 tariffs for the duration of the COVID-19 emergency, and they should not be subjected to the lengthy process of submitting tariff exemption requests for each individual input required to make products essential for addressing the ongoing pandemic. Time is of the essence, and these exclusions should be issued as soon as possible.

As you know, our country is already facing a shortage of critical medical supplies. We urge you to do everything in your power – both in terms of domestic trade policy and cooperation with other countries – to ensure that American healthcare workers on the front lines of fighting COVID-19, along with their patients, have the medical supplies they need as soon as possible.

We deeply appreciate your attention to this urgent request and we stand ready to work with you and your team to ensure that American trade policy is responsive to the urgency of our current medical supply shortage.

With best personal regards, we are

Sincerely yours,



---

Thomas R. Carper  
United States Senator



---

Pat Toomey  
United States Senator