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January 24, 2021

Ambassador Susan Rice
Assistant to the President for Domestic Policy
Domestic Policy Council
1640 Pennsylvania Ave, NW
Washington, D.C. 20502

Mr. Rob Fairweather
Acting Director
Office of Management and Budget
725 17th St, NW
Washington, D.C. 20503

Dear Ambassador Rice and Acting Director Fairweather,

I write today to ask that you take an important step toward dramatically increasing the amount of products manufactured in the United States for purchase by the federal government.

The events of the past year have made it painfully clear why, as a matter of national security, our country should never again be dependent on foreign supply chains to provide the critical supplies that we need in a crisis. Our reliance on offshore manufacturers for critical supplies like masks, gloves, and ventilators was laid bare last spring, and undoubtedly slowed our response to the deadly COVID-19 pandemic. Our experience during those early days, and now with vaccine distribution, demonstrates how our over-dependence on manufacturing outside the U.S. can pose a real threat to the security of the American people. I write today to urge you to close the loopholes that allow federal agencies to receive waivers for Buy American requirements without sufficient justification or review. I believe that, too often, Buy American operates like a recommendation instead of a requirement, and that your office has the power to immediately change that -- and thus help create a greater market for American-produced goods for the federal government.

Currently, the Department of Defense and some elements of the Department of Homeland Security, in accordance with the Berry and Kissell Amendments, are required to purchase goods containing a much higher level of domestic content than other federal agencies are under the Buy American Act of 1933. But as we painfully learned in 2020, other federal departments that purchase strategic commodities also contribute to American preparedness and resiliency. Acknowledging the Federal Acquisition Regulatory Council's recent rule change on this issue, I urge the Office of Management and Budget (OMB) to encourage further increases to the domestic content requirements for federal agencies not subject to the Berry and Kissell Amendments and to expand the scope of critical materials that must be made with U.S.-origin components.

Our experience with the COVID-19 pandemic has made clear that we must take a strategic, national-security approach to our supply chains, including those related to medical equipment, to ensure that our country is not dependent on foreign suppliers and foreign governments, particularly when we need to urgently protect the American people. Such a move on your part would also incentivise American companies to produce more goods here at home, create a larger market for American-made goods, boost our manufacturing sector, increasing American jobs, and ensure that we as a nation are better prepared for inevitable public health and national security emergencies in the future. Quite frankly, with the stroke of your pen, you have the power to expand American manufacturing more than any single stakeholder in the U.S. today.

In that spirit, I also ask that OMB take immediate action to increase transparency in the waiver process, by mandating that all requests for waivers be published online, so that the American people can better see how their tax dollars are spent and affected stakeholders can submit comments.

I know you have many things on your plate, but your attention to this critically important matter is much appreciated. I can think of no greater opportunity to influence our country's preparedness and manufacturing sector in one fell swoop. I stand ready and waiting to assist you in this in any way I can.

Sincerely,

A handwritten signature in black ink, appearing to read "Elissa Slotkin". The signature is fluid and cursive, with a large initial "E" and "S".

Elissa Slotkin
Member of Congress

CC: Office of Management and Budget General Counsel Sam Bagenstos