

## Client Alert

### Follow Up: White House Issues Order under Defense Production Act as Part of COVID Response

March 23, 2020

In our [March 19 alert](#), C&M summarized President Trump's recent executive order invoking the Defense Production Act (DPA). In this follow-up, we provide three separate analyses. First, we provide a [discussion of the Defense Production Act](#), and the implications of the executive order for U.S. businesses and the government in its efforts to reduce the impact of COVID-19. Second, we discuss the current [Department of Health and Human Services \(HHS\) regulations](#) implementing its priorities and allocations authority prior to the executive order. And third, we discuss the manner in which the government most frequently has exercised similar authorities under the DPA pursuant to the [Defense Prioritization and Allocation System \(DPAS\)](#).

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

**Jonathan M. Baker**

Partner – Washington, D.C.  
Phone: +1.202.624.2641  
Email: [jbaker@crowell.com](mailto:jbaker@crowell.com)

**Troy A. Barsky**

Partner & CHS Managing Director – Washington, D.C.  
Phone: +1.202.624.2890  
Email: [tbarsky@crowell.com](mailto:tbarsky@crowell.com)

**Stephanie L. Crawford**

Counsel – Washington, D.C.  
Phone: +1.202.624.2811  
Email: [scrawford@crowell.com](mailto:scrawford@crowell.com)

**Alan W. H. Gourley**

Partner – Washington, D.C.  
Phone: +1.202.624.2561  
Email: [agourley@crowell.com](mailto:agourley@crowell.com)

**J. Chris Haile**

Partner – Washington, D.C.  
Phone: +1.202.624.2898  
Email: [chaile@crowell.com](mailto:chaile@crowell.com)

**John E. McCarthy Jr.**

Partner – Washington, D.C.

Phone: +1.202.624.2579

Email: [jmccarthy@crowell.com](mailto:jmccarthy@crowell.com)