

**Orbach-Miller, Harry**

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**From:** Clow, Brian  
**Sent:** Saturday, April 18, 2020 12:18 PM  
**To:** PMO.F ExecutiveTeam / Équipe Executive F.CPM  
**Cc:** Ahmad, Cameron; Gagnon, Chantal; Kim, Sabrina  
**Subject:** FW: FEMA exemption for Canada

See below. We have known internally for about a week that Canada has this exemption...but now it's public on the FEMA website. Alex Lawrence has pointed it out to a few reporters. Katie Simpson will do a story on it.

**From:** Lawrence, Alex <Alex.Lawrence@dpmo-cvpm.gc.ca>  
**Sent:** Saturday, April 18, 2020 12:16 PM  
**To:** Clow, Brian <Brian.Clow@pmo-cpm.gc.ca>  
**Subject:** FEMA exemption for Canada

The Federal Emergency Management Agency (FEMA) has now filed a notification of exemptions in the Federal Register confirming that **exports to Canada are excluded** from the Presidential Memorandum banning certain PPE exports (N95 respirators, other masks, and gloves). It will be officially published on April 21.

I'm copying and pasting the key section so you can see the precise wording (the document is long and there are nine exemptions, Canada being one).

Here is the public web link to the full document: <https://www.federalregister.gov/documents/2020/04/21/2020-08542/prioritization-and-allocation-of-certain-scarce-or-threatened-health-and-medical-resources-for>

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Prioritization and Allocation of Certain Scarce or Threatened Health and Medical Resources for Domestic Use; Exemptions  
AGENCY: Federal Emergency Management Agency, DHS.  
ACTION: Notification of exemptions.

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SUMMARY: The Federal Emergency Management Agency (FEMA) announces exemptions from a temporary final rule that FEMA published in the Federal Register on April 10, 2020.

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The exemptions are as follows.

(9) Shipments for Which the Final Destination is Canada or Mexico.

The Administrator recognizes the important role our closest neighbors play in the national defense interests of the United States. The integration of the economies and supply chains among the United States, Mexico, and Canada is robust. Many critical sectors – including, for example, food and agriculture; communications and energy; automotive and industrial; water and

wastewater management; and law enforcement and first responders – cross national boundaries. Negative impacts to workers, including a lack of PPE, in these and other critical sectors in Canada and Mexico may cause significant interruptions to the corresponding supply chains in the United States, and in turn, may disrupt the large flow of cross-border trade with our neighbors. In addition, the United States maintains close economic and diplomatic ties with these nations, which would be negatively impacted by the restriction of exports of covered materials into these countries. In the allocation order, the Administrator specifically identified minimization of disruption to the supply chain, both domestically and abroad, and international relations and diplomatic considerations as key elements of promoting the national defense.

Each would be negatively impacted by slowing or halting the transportation of covered materials across country lines to Canada and Mexico. For these reasons, the Administrator has determined that this exemption is necessary and appropriate to promote the national defense.

FEMA will require a letter of attestation stating that the items being shipped are for use in and not for transshipment through Canada or Mexico, to be submitted to FEMA via CBP's document imaging system and placed on file with CBP, certifying to FEMA the purpose of the shipment of covered materials.

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