



One Hundred Sixteenth Congress
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515

April 13, 2020

The Honorable Gene L. Dodaro
Comptroller General of the United States
Government Accountability Office
441 G St. NW
Washington, DC 20548

Dear Comptroller General Dodaro:

I write to you today to express the Committee on Homeland Security's priorities for the Government Accountability Office's (GAO) review of the Trump Administration's response to the coronavirus pandemic. The President failed to listen to early warnings from U.S. intelligence agencies about the spread of the virus.¹ The Administration has bungled the rollout of test kits and failed to ensure an adequate supply of such kits; failed to provide states with essential medical equipment, including ventilators and personal protective equipment; and offered conflicting guidance on travel restrictions, with serious consequences for the life and health of Americans.² As you are aware, GAO was recently appropriated, through the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), \$20 million to conduct oversight of the Federal government's coronavirus response and recovery efforts, among other things.

I am therefore requesting that GAO examine the extent to which:

Nationwide Response

- the Federal Emergency Management Agency (FEMA) effectively executed its role as the lead agency responsible for responding to the coronavirus pandemic, including coordination with the States and territories to provide them with critical supplies.
- FEMA executed its Public Assistance Program, including support for State logistics operations, reimbursements to States for critical supplies, and support for mortuary services.
- FEMA executed its Individual Assistance Program.

¹ Shane Harris, Greg Miller, Josh Dawsey and Ellen Nakashima, *U.S. intelligence reports from January and February warned about a likely pandemic*, THE WASHINGTON POST, Mar. 20, 2020, https://www.washingtonpost.com/national-security/us-intelligence-reports-from-january-and-february-warned-about-a-likely-pandemic/2020/03/20/299d8cda-6ad5-11ea-b5f1-a5a804158597_story.html.

² Yasmeeen Abutaleb, Josh Dawsey, Ellen Nakashima and Greg Miller, *The U.S. was beset by denial and dysfunction as the coronavirus raged*, THE WASHINGTON POST, Apr. 4, 2020, <https://www.washingtonpost.com/national-security/2020/04/04/coronavirus-government-dysfunction/?arc404=true>.

- FEMA planned, prepared, and trained to respond to a pandemic prior to the discovery of the new coronavirus (2019-nCoV).
- FEMA properly contracted for critical supplies and services to respond to the COVID-19 outbreak.
- communications systems, including FirstNet's public safety broadband network, worked effectively during the response to reach relevant first responders (e.g., medical community).
- Health and Human Services (HHS) made a sufficient number of COVID-19 test kits available in a timely manner.
- HHS maintained a sufficient number of critical medical supplies in the Strategic National Stockpile to respond to COVID-19.
- the Defense Production Act was used effectively to address supply shortfalls of critical medical supplies.
- the Federal Government efficiently and effectively assisted States and territories to acquire critical medical supplies.
- the Federal Government, including FEMA and HHS, considered, identified, and addressed the disproportionate effect of COVID-19 on minority and disadvantaged communities, including higher death rates among African Americans.
- the newly formed Countering Weapons of Mass Destruction Office contributed to the Department of Homeland Security's (DHS) response to the COVID-19 outbreak.

DHS Continuity of Operations (COOP)

- DHS's COOP plans prepared the Department and its components to continue mission essential functions during the pandemic.
- DHS took sufficient steps to mitigate the risk of its employees Department-wide contracting COVID-19, including acquiring and issuing personal protective equipment to those on the frontlines.

Border and Immigration Security

- Customs and Border Protection (CBP) provided guidance to field personnel to effectively manage operations in response to evolving travel restrictions intended to limit the spread of COVID-19.
- CBP had sufficient legal justification to prioritize public health authority (Title 42) over immigration-related (Title 8) obligations for unaccompanied children and asylum seekers during the pandemic.
- Immigration and Customs Enforcement had plans in place to respond to an infectious outbreak in its detention facilities and executed those plans effectively to protect the health and safety of detainees and employees from COVID-19.

Transportation and Maritime Security

- the Administration used a consistent methodology for selecting countries and regions from which to restrict air travel and considered bans on domestic commercial air travel or most international inbound travel regardless of countries of origin.
- the Administration developed criteria and consulted stakeholders when selecting domestic airports to accept flights from restricted countries and regions; and took steps, if

any, to mitigate, large crowds converging in airport terminals as a result of the travel restrictions.

- the Transportation Security Administration (TSA) worked to decrease human-to-human contact at security screening checkpoints.
- the U.S. Coast Guard prioritized missions and managed resources due to capacity constraints caused by infections on cutters and other vessels.
- the Administration supported the health and safety of passengers and crew members onboard cruise ships stuck at sea during the pandemic, including those ships carrying known infections.

Cybersecurity

- the Federal government maintained continuity of cybersecurity for the .gov domain.
- the Cybersecurity and Infrastructure Security Agency (CISA) and HHS coordinated efforts to share actionable cyber threat information and mitigation tools to support cybersecurity for the healthcare sector during the pandemic.
- the Federal government had in place policies, procedures, technology, and equipment to support the expanded use of telework by Department and agency employees and contractors, as appropriate.
- the Federal government anticipated, planned for, and took action in response to the increased vulnerabilities to the Internet ecosystem as a result of expanded telework by both Federal and non-Federal employees.
- CISA's engaged with stakeholders in the development of, and socialized with stakeholders, the "*Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response*" (*Guidance*) and successor versions. Additionally, whether the *Guidance* was provided in sufficient detail to help State, local, tribal and territorial officials protect their communities by limiting the workforce required to work in person, while ensuring continuity of functions.
- CISA identified and prioritized activities it performed related to COVID-19.
- CISA anticipated and proactively developed guidance or other resources related to administering elections during the COVID-19 pandemic response.

Thank you for your attention to this matter. Please contact Alison Northrop, Oversight Director, at (202) 226-2616, to discuss this request in greater detail.

Sincerely,



BENNIE G. THOMPSON
Chairman