



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

June 16, 2020

The Honorable Chad F. Wolf  
Acting Secretary  
U.S. Department of Homeland Security  
Washington, D.C. 20528

Dear Acting Secretary Wolf:

I write to express my concern over reports that the Department of Homeland Security (DHS) is preparing to commence a temperature check program. Reportedly, the Transportation Security Administration (TSA) would be tasked to begin checking temperatures of departing passengers at U.S. airports to identify individuals who may have COVID-19.<sup>1</sup> Additionally, the Committee was informed that DHS's Countering Weapons of Mass Destruction (CWMD) ran a week-long pilot at Dulles International Airport in April to test varying thermal detection technologies in anticipation of widespread temperature checks at U.S. airports. Given these developments, we have some questions for you regarding DHS's efforts and future plans regarding an airport-based federal temperature check program.

I understand that some airlines and airports are lobbying the Trump Administration to conduct temperature checks as a way to increase public confidence in air travel. These calls for federally administered temperature checks, however, appear to run counter to statements from the Center for Disease Control and Prevention (CDC), which stated that temperature checks conducted on international arriving passengers were ineffective in preventing the spread of the COVID-19 virus and that thermal scanning is a poorly designed control and detection strategy.<sup>2</sup> A May CDC report concluded that such health screenings were not effective because people can spread COVID-19 asymptotically.<sup>3</sup> Also in May, the European Center for Disease Prevention and Control and the European Union Aviation Safety Agency issued safety guidelines for air travel,

---

<sup>1</sup> Tate, Curtis, "Another new thing to expect at the airport: Getting your temperature checked" (May 12, 2020), *USA Today*, <https://www.usatoday.com/story/travel/2020/05/12/coronavirus-temperature-checks-coming-airport/3116228001/>.

<sup>2</sup> Murphy, Brett and Stein, Letitia, "CDC scientists overruled in White House push to restart airport fever screenings for COVID-19," (May 10, 2020), <https://www.usatoday.com/story/news/investigations/2020/05/09/white-house-push-airport-fever-screenings-overrules-cdc-scientists/3097158001/>.

<sup>3</sup> Myers JF, Snyder RE, Porse CC, et al., "Identification and Monitoring of International Travelers During the Initial Phase of an Outbreak of COVID-19 — California, February 3–March 17, 2020" (May 11, 2020), *CDC Morbidity and Mortality Weekly Report*, [https://www.cdc.gov/mmwr/volumes/69/wr/mm6919e4.htm?s\\_cid=mm6919e4\\_w](https://www.cdc.gov/mmwr/volumes/69/wr/mm6919e4.htm?s_cid=mm6919e4_w).

which also highlight that “thermal screening has many limitations and little evidence of effectiveness in detecting COVID-19 cases.”<sup>4</sup>

Furthermore, I understand that a Member of the Privacy and Civil Liberties Oversight Board has written to you, laying out privacy and civil rights and civil liberties concerns around the deployment of temperature checks.<sup>5</sup> I share his concerns about the Department potentially collecting, using, and safeguarding the sensitive health information of passengers, airport workers, and airline crewmembers. Additionally, given that COVID-19 disproportionately affects certain demographics, any such protocols must be designed to guard against passengers from certain racial or ethnic minorities being targeted for screening in a discriminatory fashion.

In the event that President Trump decides to direct TSA to administer these temperature checks and Transportation Security Officers will be responsible for doing so, the Committee would like to learn more about the steps and precautions in place to protect TSA frontline workers. Again, we must make every effort to ensure TSA employees are kept safe from this virus. They are on the front lines of aviation security, keeping the traveling public secure from threats to transportation during a vulnerable time for our country.

Given the urgency of this matter, please respond in writing to the questions below no later than June 23, 2020.

1. Please cite what legal authority DHS has to conduct temperature checks at the nation’s airports and provide any written guidance, policies, training materials, memoranda or other documents related to the Department’s activities with respect to temperature checks.
2. Please identify which DHS components are involved in temperature check efforts and any other agencies that may be working with DHS on these efforts and provide any policies, processes, procedures, and/or Concept of Operations that TSA has developed to conduct this activity.
3. What types of technology is DHS considering to conduct these temperature checks? How were these technologies identified? To what degree were the DHS Science and Technology Directorate (DHS S&T), CWMD or CDC involved in the evaluation of such technologies for use in the nation’s airports? Has DHS had any such technology evaluated? If so, who did the evaluation and did the evaluation look beyond technical questions and address medical considerations, particularly if the technology has high false positive rates? And finally, what are the requirements for the accuracy of the technology?

---

<sup>4</sup> European Union Aviation Safety Agency and European Center for Disease Prevention and Control, “COVID-19 Aviation Health Safety Protocol: Operational Guidelines for the management of air passengers and aviation personnel in relation to COVID-19 pandemic” (May 21, 2020), [https://www.easa.europa.eu/sites/default/files/dfu/EASA-ECDC\\_COVID-19\\_Operational%20guidelines%20for%20management%20of%20passengers\\_final.pdf](https://www.easa.europa.eu/sites/default/files/dfu/EASA-ECDC_COVID-19_Operational%20guidelines%20for%20management%20of%20passengers_final.pdf).

<sup>5</sup> Letter from Travis LeBlanc, Board Member, Privacy and Civil Liberties Oversight Board to Acting Secretary Chad Wolf, Department of Homeland Security, (June 1, 2020), <https://www.documentcloud.org/documents/6934804-LeBlanc-DHS-Letter-2020-06-01-No-Signature.html>.

4. What technology or technologies were tested in the CWMD pilot? What was CWMD hoping to learn from the pilot and, to what degree, if any, was the CDC, the DHS S&T, or TSA involved in the pilot?
5. Was an after-action report prepared by CWMD after completing a week-long pilot at Dulles International Airport in April? If so, please provide a copy of the report.
6. Has the Chief Medical Officer concluded an assessment of the effectiveness of a temperature check program to prevent the spread of COVID-19? If so, please provide a copy.
7. Does DHS have any pilots underway or planned for one or more temperature check technologies? If so, please provide details regarding who is carrying out the pilot, what is being tested, where is it being tested, the duration of the test, and the involvement of DHS S&T and CDC, if any.
8. Please describe what actions DHS has taken to address privacy rights and civil rights and civil liberties in the planning, testing, and development of a temperature check program. Specifically, please provide information on whether DHS is preparing a Privacy Impact Assessment (PIA) pertaining to its thermal screening activities, as required by the E-Government Act. If not, when does DHS plan to do so? What measures will the Department take to ensure that people of color will not be disproportionately prohibited from air travel as a result of temperature checks?
9. Did DHS prepare a PIA for the pilot that CWMD recently conducted, as required under law? If so, please provide a copy together with any input from CDC or other Federal partners on the PIA.
10. In the event that TSA is charged with carrying out temperature checks, please describe the training and protocols that will be provided to the frontline workforce to ensure that they conduct these checks in a safe and effective manner.

In addition to providing timely answers to the questions in this letter, it is critical that before any federal program mandating temperature checks is established, it be subject to the required regulatory process of notice and comment. Thank you for your prompt attention to these critical issues.

Sincerely,



---

BENNIE G. THOMPSON  
Chairman

CC:

The Honorable David Pekoske, Administrator, Transportation Security Administration  
Gary Rasicot, Acting Assistant Secretary, Countering Weapons of Mass Destruction Office  
William Bryan, Acting Undersecretary, Science and Technology Directorate  
Dena Kozanas, Chief Privacy Officer, DHS Privacy Office