

RON JOHNSON, WISCONSIN, CHAIRMAN

ROB PORTMAN, OHIO
RAND PAUL, KENTUCKY
JAMES LANKFORD, OKLAHOMA
MITT ROMNEY, UTAH
RICK SCOTT, FLORIDA
MICHAEL B. ENZI, WYOMING
JOSH HAWLEY, MISSOURI

GARY C. PETERS, MICHIGAN
THOMAS R. CARPER, DELAWARE
MAGGIE HASSAN, NEW HAMPSHIRE
KAMALA D. HARRIS, CALIFORNIA
KYRSTEN SINEMA, ARIZONA
JACKY ROSEN, NEVADA

United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

GABRIELLE D'ADAMO SINGER, STAFF DIRECTOR
DAVID M. WEINBERG, MINORITY STAFF DIRECTOR

March 31, 2020

The Honorable Peter T. Gaynor
Administrator
Federal Emergency Management Agency
500 C Street SW
Washington, DC 20472

The Honorable William P. Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Ave NW
Washington, DC 20530

Dear Administrator Gaynor and Attorney General Barr:

I write to you today to raise concerns about the availability of personal protective equipment (PPE) for our country's frontline personnel during the 2019 Novel Coronavirus (COVID-19) pandemic. As we are hearing from state, local, tribal, and territorial jurisdictions across the country, current and anticipated shortages of critical supplies threaten to undermine effective response to the spread of the virus. At the core of this battle is our nation's health care workforce, which is working tirelessly under dangerous conditions to aid thousands of Americans in their hour of need. In addition to our health care workers, I am also concerned about protections for our law enforcement personnel and first responders in this pandemic. These individuals are a critical component in the line of defense against the threat of Coronavirus as they rapidly respond to emergencies, help implement community guidelines, and aid any individual in need during the crisis. I urge you to work together to ensure that these workers have access to PPE as our country works to mitigate the spread of COVID-19.

Frontline personnel across the country have not received the protection they desperately need as they risk their own safety to perform essential duties in their communities. In a survey recently published by the United States Conference of Mayors, approximately 91.5% of the responding cities do not have an adequate supply of face masks for their first responders, including police, fire, and emergency medical technicians (EMTs) and medical personnel, and 88.2% do not have an adequate supply of personal protective equipment (PPE) to protect these workers.¹ EMTs, firefighters, and paramedics throughout the country have raised a variety of concerns about available supplies and protection, including "a looming shortage of protective gear and staff and confusion around infection control practices."² Law enforcement departments in a variety of states have resorted to soliciting donations from local businesses to ensure that they can get masks, gloves, and other necessary supplies as soon as possible. Voluntary support

¹ The United States Conference of Mayors, [Shortages of COVID-19 Emergency Equipment in U.S. Cities: A Survey of the Nation's Mayors](#) (Mar. 27, 2020).

² [First Responders Face High Risk but Lack Supplies and Personnel to Combat Coronavirus](#), ProPublica (Mar. 13, 2020).

from the private sector is generous and welcomed, but these are only short-term solutions to potentially long-term supply chain problems.

Amid this pandemic, the work of first responders is particularly vital – New York City recently broke its daily record for 9-1-1 emergency calls received, surpassing the previous high set on September 11, 2001. Personnel there have reported that their departments are “shockingly low” on PPE supply.³ First responders in my home state of Michigan may soon face a similarly grim situation, as White House officials have singled out Wayne County as a potential hotspot of concern.⁴ Two members of the Detroit Police Department have already lost their lives to COVID-19 and 69 employees have tested positive. Due to exposure, 493 sworn officers in the department are in quarantine, constituting more than 22% of their police force.⁵ The Wayne County Sheriff’s Office has also been affected by the virus – 18 members of the office have tested positive for COVID-19, and a commander in that department passed away on March 25.⁶

The concern extends beyond just law enforcement. Eight firefighters in the Detroit Fire Department have also tested positive for the disease, and 109 members of the department are currently in quarantine.⁷ As a spokesperson for the International Association of Fire Fighters stated, “[i]f firefighters and paramedics don’t have the equipment they need, it’s a risk to them and the general public. It contributes to community spread... and depletes staffing levels.”⁸ These workers must be provided the proper protections to do this work safely and effectively.

The reports and suggestions above and others being raised throughout the country are disturbing, and they demonstrate a dire need for the federal government to act rapidly to address the issues that put our frontline personnel at risk. Our nation’s governors should not be forced to choose between the safety of their state’s health care workforce and that of their frontline responders. The responsibility, under a national emergency, lies with the federal government to procure and distribute the amounts of supplies necessary to keep these personnel safe. Your agencies must work together to meet these needs nationwide. With this in mind, I ask that you please respond to the following questions as soon as possible to ensure that our nation’s frontline workers have the protections they need in this critical time:

³ [Daily EMS medical calls in New York City surpass total from Sept. 11, 2001](#), The Washington Post (Mar. 26, 2020).

⁴ [White House identifies Chicago, Detroit areas as emerging coronavirus hot spots](#), The Hill (Mar. 26, 2020).

⁵ [Duggan: Rapid-response COVID-19 testing coming for first responders, health care workers](#), Michigan Radio (Mar. 30, 2020); [Daily coronavirus death toll in U.S. exceeds 500 for first time](#), The Washington Post (Mar. 30, 2020).

⁶ [Wayne County Sheriff’s Commander Donafay Collins dies of coronavirus](#), Detroit Free Press (Mar. 26, 2020).

⁷ [Almost 500 Detroit police officers quarantined for possible coronavirus](#), FOX 2 Detroit (Mar. 30, 2020).

⁸ [Congress Passed \\$8.3 Billion in Emergency Coronavirus Funding, but First Responders Still Can’t Buy Masks](#), ProPublica (Mar. 18, 2020).

1. Is FEMA taking into consideration the needs of first responders and law enforcement when assessing national PPE needs and ensuring procurement of more supplies?
2. How is FEMA using the authorities of the Defense Production Act to ensure that frontline workers have access to needed medical supplies such as PPE?
3. What other authorities is FEMA utilizing or considering to ensure that states can provide PPE to frontline workers?
4. How is the Department of Justice using the recently funded State and Local Law Enforcement Assistance grants to ensure that frontline workers have access to needed medical supplies such as PPE?
5. What other authorities is the Department of Justice utilizing or considering to ensure that states can provide PPE to frontline workers?
6. What other support are your agencies providing to state, local, tribal, and territorial jurisdictions to ensure that their frontline workers have the resources they need to perform their jobs safely and effectively?

It is of the utmost importance that these heroic Americans are given clear and actionable answers to these questions, to alleviate fears and ensure maximum response capabilities during the COVID-19 crisis. The well-being of our country depends on it. Thank you for your attention to this matter.

Sincerely,



Gary C. Peters
Ranking Member
Senate Committee on Homeland Security
and Governmental Affairs