

**Congress of the United States**  
**Washington, DC 20515**

September 15, 2020

The Honorable Peter T. Gaynor  
Administrator  
Federal Emergency Management Agency  
500 C Street, SW  
Washington, DC 20024-2523

Dear Administrator Gaynor:

We write with significant concern about the Federal Emergency Management Agency (FEMA) September 1<sup>st</sup> policy change “[FP 104-009-19](#)” restricting reimbursement through FEMA’s Public Assistance (PA) Program for personal protective equipment (PPE), cleaning, and disinfectant costs in certain settings. This policy change hinders states’ disaster response efforts and limits our ability to prevent the spread of COVID-19, even as the U.S. approaches the terrible milestone of 200,000 COVID-related deaths. Accordingly, we ask that you immediately rescind this decision.

On March 19, 2020, FEMA issued guidance describing various emergency protective measures eligible for funding under the PA program, and urged state officials to take appropriate, necessary actions to protect the public health and safety from COVID-19. The March 19 guidance described a number of eligible and necessary response measures, including “disinfection of eligible public facilities” and the “purchase and distribution of . . . personal protective equipment.” Furthermore, this guidance offered vital assurance to state governments that these measures would “ensure that resource constraints do not inhibit efforts to respond to this unprecedented disaster.”

States like Wisconsin relied on FEMA’s original PA program guidance in March to prepare and implement their COVID-19 emergency plan. In an effort to prevent the spread of COVID-19 in schools, prisons, and congregate care settings, our home state took decisive action under unprecedented circumstances to acquire and distribute PPE and disinfectants. Now, as students and teachers are returning to school, and as Wisconsin faces record numbers of new cases of COVID-19, FEMA is restricting support for PPE through the PA program. This is unconscionable. State and local resources continue to be strained, and we know that the spread of COVID-19 is not limited to health care workers, patients, first responders and those performing emergency work. Furthermore, your policy change restricts reimbursement for states’ PPE stockpiles to only a 60-day supply. This change, which takes effect less than two-weeks after it

was announced, will upend Wisconsin's COVID-19 response making it more difficult to prepare for future outbreaks in the state.

Wisconsin's Governor recently expressed to your agency that unless the September 1<sup>st</sup> guidance is rescinded, the state will need to divert resources from other critical programs or stop acquiring PPE for local communities altogether. We echo his concerns and support his request.

We request you immediately rescind this policy to ensure our communities, schools, businesses, and workers have access to PPE, cleaning supplies, and other critical equipment needed to prevent further spread of COVID-19.

Sincerely,



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Tammy Baldwin  
U.S. Senator



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Mark Pocan  
Member of Congress



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Gwen S. Moore  
Member of Congress



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Ron Kind  
Member of Congress