

United States Senate
WASHINGTON, DC 20510

May 6, 2020

Admiral Brett P. Giroir, M.D.
Assistant Secretary for Health
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Vice Admiral Jerome M. Adams, M.D. M.P.H.
Surgeon General
Department of Health and Human Services
200 Independence Avenue, S.W.
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Dear Assistant Secretary Giroir and Dr. Adams,

We write to you today regarding the United States Public Health Service Commissioned Corps (Commissioned Corps) and efforts to fully utilize these public health officers to combat the coronavirus disease 2019 (COVID-19) pandemic. As the pandemic spreads, many hospitals, clinics, and community health centers have been pushed to their limits. As such, we request information on the Department's deployment of the Commissioned Corps and urge you to expeditiously implement the Ready Reserve Corps program in order to increase testing capacity and reinforce the nation's work combating the spread of COVID-19.

The COVID-19 pandemic has strained health care systems across the country. Tens of thousands of COVID-19 patients have flooded hospitals nationwide, many of which were already operating at close to maximum capacity.¹ Lack of personal protective equipment (PPE) available to health care workers has further strained the health care system's ability to respond. Nurses and doctors have been forced to test and treat COVID-19 patients without proper equipment, significantly increasing their chances of being exposed to the virus and infected.² With COVID-19 spreading so rapidly and hospitals already struggling to cope, it is imperative that the federal government utilize all the tools at its disposal to assist in containment and treatment efforts. This includes recruiting and deploying all available qualified individuals to assist in COVID-19 diagnostic testing and the provision of health care to COVID-19 patients, particularly in facilities—like long-term care facilities and nursing homes—with high case rates and populations most vulnerable to COVID-19.

¹ Centers for Disease Control and Prevention, "Influenza (Flu): Preliminary In-Season 2019-2020 Burden Estimates," April 3, 2020, <https://www.cdc.gov/flu/about/burden/preliminary-in-season-estimates.htm>.

² World Health Organization, "Shortage of personal protective equipment endangering health workers worldwide," press release, March 3, 2020, <https://www.who.int/news-room/detail/03-03-2020-shortage-of-personal-protective-equipment-endangering-health-workers-worldwide>.

The Commissioned Corps is a team of over 6,500 full-time officers advancing public health and disease prevention programs.³ On a day to day basis, Commissioned Corps officers fill various public health roles within federal agencies such as the Indian Health Service, Food and Drug Administration, Centers for Disease Control and Prevention, Bureau of Prisons, and Department of Homeland Security, in addition to serving as physicians, nurses, engineers, and health service officers providing care to and supporting underserved populations.⁴ These officers stand ready to respond to public health crises such as natural disasters, terrorist attacks, or disease outbreaks.

Commissioned Corps officers have been deployed in numerous recent public health emergencies, and there is no reason why they should not be deployed to the fullest extent possible now. They were deployed to combat the Ebola outbreak in 2014 and supported the nation's response to Hurricanes Harvey and Maria in 2017.⁵ In 2005, the Commissioned Corps Rapid Deployment Forces deployed over 2,400 officers to help devastated health care systems recover from Hurricanes Katrina and Rita and stood up an emergency shelter for hundreds of people in just a few hours.⁶ Dr. Giroir has indicated that half of the Corps is "delivering care on a daily basis to the Indian Health Service, to all the tribes throughout the country, including Alaska, to the Bureau of Prisons, and to those in detention under Immigration Customs and Enforcement."⁷ Of the remaining half, a fraction have been deployed to support COVID-19 containment efforts both domestically and abroad.⁸

The Commissioned Corps provides a source of experienced and highly-trained public health officials and health care providers that could be deployed to areas most impacted by the COVID-19 pandemic. Officers could manage challenges to the supply chain to ensure PPE and other crucial medical devices are delivered to hospitals, coordinate the construction of field hospitals

³ United States Public Health Service, "Commissioned Corps of the U.S. Public Health Service," <https://usphs.gov/questionsanswers/overview.aspx>.

⁴ United States Public Health Service, "Commissioned Corps of the U.S. Public Health Service," <https://usphs.gov/aboutus/agencies/>.

⁵ The Obama White House, "FACT SHEET: U.S. Response to the Ebola Epidemic in West Africa," press release, September 16, 2014, <https://obamawhitehouse.archives.gov/the-press-office/2014/09/16/fact-sheet-us-response-ebola-epidemic-west-africa>; U.S. Department of Health and Human Services, "HHS readies medical support in Texas and Louisiana ahead of Hurricane Harvey," press release, August 25, 2017, <https://www.hhs.gov/about/news/2017/08/25/hhs-readies-medical-support-texas-and-louisiana-ahead-hurricane-harvey.html>; U.S. Department of Health and Human Services, "Federal, local efforts closely coordinated to care for Hurricane Maria survivors," press release, October 6, 2017, <https://www.hhs.gov/about/news/2017/10/06/federal-local-efforts-closely-coordinated-care-hurricane-maria-survivors.html>.

⁶ Stat, "It's past time to fully deploy the U.S. Public Health Service Commissioned Corps to fight Covid-19," Andrew Meshnick, Brian Miller, and Boris Lushniak, March 30, 2020, https://www.statnews.com/2020/03/30/fully-deploy-usphs-commissioned-corps-fight-covid-19/?utm_source=STAT+Newsletters&utm_campaign=1a89e20f6c-Daily_Recap&utm_medium=email&utm_term=0_8cab1d7961-1a89e20f6c-151248629.

⁷ NPR, "Public Health Service Poised To Create A Ready Reserve To Fight The Coronavirus," Quil Lawrence, April 15, 2020, <https://www.npr.org/2020/04/15/834235294/public-health-service-poised-to-create-a-ready-reserve-to-fight-the-coronavirus>.

⁸ *Id.*; The Council on Foreign Relations, "U.S. Coronavirus Response: Who's In Charge of What?" April 7, 2020, Lindsay Maizland, <https://www.cfr.org/article/us-trump-coronavirus-response-covid19-agencies-in-charge>; Stat, "It's past time to fully deploy the U.S. Public Health Service Commissioned Corps to fight Covid-19," Andrew Meshnick, Brian Miller, and Boris Lushniak, March 30, 2020, https://www.statnews.com/2020/03/30/fully-deploy-usphs-commissioned-corps-fight-covid-19/?utm_source=STAT+Newsletters&utm_campaign=1a89e20f6c-Daily_Recap&utm_medium=email&utm_term=0_8cab1d7961-1a89e20f6c-151248629.

to increase capacity, or provide direct care to patients. In addition to hiring doctors, nurses, and health care professionals, the Commissioned Corps can hire workers, especially those who are temporarily out of work due to COVID-19, who can receive on-the-job training to complete tasks that do not require medical degrees.⁹ For example, the Commissioned Corps could hire and train temporary workers to administer diagnostic tests or support contact tracing efforts as a way to continue ramping up our nation's testing capacity.

The full expertise of the Commissioned Corps is desperately needed, and the recently passed Coronavirus Aid, Recovery, and Economic Security (CARES) Act aims to make it easier to deploy the Corps in greater numbers. The CARES Act authorizes and funds the creation of a Ready Reserve Corps, a backup pool of officers that themselves can deploy when needed or can backfill the posts of regular Commissioned Corps officers that have been deployed.¹⁰ Once implemented, these reserves would be able to expand the scope of the Commissioned Corps.

As Surgeon General and Assistant Secretary of the Department of Health and Human Services (HHS), you are jointly responsible for the deployment of Commissioned Corps officers and for standing up the new Ready Reserve Corps.¹¹ Given that health care providers are currently pushed to their limits and that many more will likely find themselves in a similar situation in the coming days and weeks, it is imperative the Commissioned Corps be deployed to bolster our nation's response to COVID-19. As such, we respectfully request an update on the Department's efforts to do so as well as the Department's efforts to create the Ready Reserve Corps.

We ask that you provide answers to the following questions no later than May 20, 2020.

1. How many officers, in both absolute numbers and percentages of the Commissioned Corps, have been deployed to assist in the response to the COVID-19 pandemic? Please provide breakdowns by:
 - a. From which Departments and Agencies they have been deployed,
 - b. To where they have deployed, and
 - c. What services they have been deployed to perform.

2. How many additional officers of the Commissioned Corps does HHS plan to deploy to assist in the response to the COVID-19 pandemic? Please provide breakdowns by:
 - a. From which Departments and Agencies they will be deployed,
 - b. To where they will deploy,
 - c. What services will they be deployed to perform, and
 - d. When they will be deployed and when HHS expects them to be fully operational in their new role and able to provide care and services.

3. Has HHS considered using the Commissioned Corps to hire and train temporary workers to administer diagnostic tests or perform other essential duties to assist in the response to

⁹ 42 U.S. Code § 204. Commissioned Corps and Ready Reserve Corps.

¹⁰ NPR, "Public Health Service Poised To Create A Ready Reserve To Fight The Coronavirus," Quil Lawrence, April 15, 2020, <https://www.npr.org/2020/04/15/834235294/public-health-service-poised-to-create-a-ready-reserve-to-fight-the-coronavirus>.

¹¹ *Id.*

the COVID-19 pandemic? If so, what barriers exist to implementing this program? If not, why not?

4. How does HHS track and identify areas of the country or specific duties that are most in need of and would particularly benefit from a deployment of the Commissioned Corps?
5. Please detail HHS's efforts to implement the CARES provision creating the Ready Reserve Corps, including the timeline for its creation.

Thank you for your attention to this matter.

Sincerely,

/s/ Elizabeth Warren
United States Senator

/s/ Chris Van Hollen
United States Senator