

United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

July 14, 2020

The Honorable Andrew Saul
Commissioner
Social Security Administration
6401 Security Blvd.
Baltimore, MD 21235

Dear Commissioner Saul:

I write today to better understand your agency's plans for reopening and returning federal employees to their normal duty stations in the midst of the ongoing COVID-19 pandemic. While the country faces an unprecedented public health crisis and accompanying economic recession, it is more important than ever that the federal government stands ready to serve the American people. It can only do so effectively if agencies protect the health and safety of federal employees and the communities they serve.

The Office of Management and Budget (OMB) released M-20-23, "Aligning Federal Agency Operations with the National Guidelines for *Opening Up America Again*," on April 20, 2020, which provides guidance to federal agencies on resuming normal operations after a period of maximum telework. Agencies are given broad discretion to make reopening decisions based on their specific needs and circumstances. While I agree that such flexibility is necessary, transparency is equally important to ensure that agencies are reopening in accordance with the best public health guidance.

To that end, please provide an answer to the following questions no later than July 24, 2020:

1. Please describe your agency's plan for reopening. Be sure to include, at minimum: (1) which employees will be asked to return to their duty stations and when; (2) whether leave and telework flexibilities will still be available to employees, for how long, and to what extent; (3) any regionalized or localized plans to account for areas that continue to see an increase in COVID-19 cases; (4) any estimates or timelines of when the agency will return all employees to normal duty stations.
2. Has your agency's plan for reopening been made publicly available? If so, please provide the appropriate web address. If not, why? Will it be made publicly available in the near future? Has the plan been distributed or made available to agency employees?
3. Who was responsible for developing your agency's reopening plan?
 - a. If individual offices within the agency are responsible for developing their own plans, how is agency leadership involved in that decision-making process? Who amongst agency leadership is involved?

4. What was the process for drafting and approving the plan? What data and/or guidance was taken into consideration when preparing the plan?
5. Did your agency submit its reopening plan for consultation, review, or approval by OMB? If so, to whom at OMB did the agency submit its plan? When? What was OMB's response?
6. Did your agency submit its reopening plan for consultation, review, or approval by the Centers for Disease Control and Prevention (CDC)? If so, to whom at CDC did the agency submit its plan? When? What was CDC's response?
7. Did your agency submit its reopening plan to any other guidance-issuing or central-management agencies, such as the Office of Personnel Management (OPM), the Department of Homeland Security (DHS), or the General Services Administration (GSA), for consultation, review, or approval? If so, to whom did your agency submit its plan? When? What was the response?
8. To what extent did your agency consult with its bargaining units or national union representatives when developing its reopening plans? Please describe any such communication your agency had.
9. Do any of your agency's current collective bargaining agreements require that the agency participate in post-implementation bargaining? If so, please describe your agency's timeline for engaging in post-implementation bargaining.
10. Has your agency determined that gating criteria have been met for any of the agency's employees? If so, for which employees has the gating criteria been met? What data was used to make this determination?
11. Who has the ultimate responsibility for deciding to open regional or field offices throughout the country? How are local or regional officials being consulted in this process?
12. How are employees classified as "essential" workers? Who makes this determination? Can a position be deemed "essential" after being previously classified as non-essential?
13. How will your agency reopening plans be altered, adjusted or rolled back if there are local spikes in COVID-19 cases or changes in directions from state or local leaders? Who will be responsible for making this decision?
14. Is your agency tracking the number of COVID-19 cases among agency employees? If so, please provide the number of employees affected to date, and whether any specific regions or offices have been particularly affected.
 - a. If your agency is tracking the number of COVID-19 cases among employees, does the agency report these numbers to any other agency, such as OMB, CDC, DHS, OPM, or GSA?

15. What steps have you taken to limit COVID-19 exposure for employees who must interact with the public during the pandemic, either through field visits outside the office or by members of the public visiting agency facilities? Please be sure to include what personal protective equipment (PPE), if any, the agency provides to these employees.
 - a. What requirements are you placing on individuals entering facilities where federal employees work? Are you requiring temperature checks? Masks?
16. How is your agency modifying office spaces to comply with CDC social distancing guidelines? Has your agency consulted with GSA on this matter?
17. How does your agency plan to support employees who need additional leave and telework flexibilities to care for dependents or other family members? How is this policy being communicated to employees?
18. Does your agency require employees to do temperature checks to enter work spaces? Are employees required to wear masks in shared office spaces?
 - a. If employees are required to wear masks in shared office spaces, is your agency providing masks to employees?
19. What protocols are in place for alerting agency employees about possible contact with COVID-19? For example, if an employee shows symptoms of, or tests positive for, COVID-19, does the agency do any contact tracing around that employee?
20. How does your agency procure PPE? How does your agency make decisions about distributing PPE to field offices across the country?

Thank you for your cooperation in this matter. I look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary C. Peters". The signature is fluid and cursive, with the first name "Gary" being the most prominent.

Gary C. Peters
Ranking Member

cc: The Honorable Ron Johnson
Chairman