



Tony Evers

Office of the Governor | State of Wisconsin

VIA ELECTRONIC DELIVERY

September 4, 2020

Dear Administrator Gaynor:

I am writing to express deep concern about the changes outlined in the September 1, 2020 updated guidance published by FEMA with respect to the COVID-19 disaster incident. I respectfully request FEMA rescind the new limitations on measures eligible for Public Assistance (PA), as they will have a negative impact on Wisconsin's disaster response work and diminish our ability to limit the spread of COVID-19.

In its disaster relief planning to date, Wisconsin has relied on FEMA's March 19, 2020 guidance describing various emergency protective measures related to the COVID-19 pandemic that are eligible for funding under the PA program. In that guidance, FEMA articulated broad eligibility of COVID-19 response measures—including “disinfection of eligible public facilities” and the “purchase and distribution of . . . personal protective equipment”—and urged state officials to take appropriate, necessary actions to protect the public health and safety. The March 19 guidance further assured state governments that these measures would “ensure that resource constraints do not inhibit efforts to respond to this unprecedented disaster.”

Wisconsin took FEMA at its word, and it relied on the March 19 guidance in developing and implementing our state's COVID-19 disaster response strategy. This strategy has included the acquisition and distribution of PPE and disinfectants to communities across the state to meet public health needs, including to prevent the spread of COVID-19 in schools, prisons, and other congregate settings. The September 1 guidance, however, restricts funding for PPE only to healthcare workers, patients, first responders, and those performing otherwise eligible emergency work; allows the purchase of only a 60-day supply; and limits disinfection costs to facilities where emergency work is being performed.

These new limitations, if implemented, would require our state to revise its disaster response strategy midstream. For the many expenditures for which the state was counting on FEMA support that would no longer be eligible under the September 1 guidance, the state will need to either divert resources from other response programs to pay for them or forgo them altogether. Either way, the state's COVID-19 response efforts will suffer at a critical time.

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For these reasons, we I urge FEMA to reconsider and rescind the new limitations established by its September 1 revised guidance, and return to the goal it expressed in the March 19 guidance: ensuring that state “resource constraints do not inhibit efforts to respond to this unprecedented disaster.”

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Tony Evers". The signature is written in a cursive, flowing style.

Tony Evers
Governor