

United States Senate

WASHINGTON, DC 20510

May 18, 2020

The Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Charles E. Schumer
Minority Leader
United States Senate
Washington, D.C. 20510

Dear Leader McConnell and Leader Schumer:

We appreciate your work to provide support for our nation's police officers, firefighters, and emergency medical services (EMS) personnel in the Coronavirus Aid, Relief, and Economic Security Act. However, additional assistance is needed during this crisis. As Congress considers further legislation in response to the COVID-19 pandemic, we urge you to include additional support for our nation's first responders who work in some of the highest risk occupations for COVID-19 exposure.¹ First responders are routinely in physical contact with potentially infected persons and are facing unprecedented volumes of dispatch calls in severely impacted areas.²

A short supply of personal protective equipment (PPE) for first responders to guard against disease exposure has left many police officers, firefighters, and EMS personnel exposed to the dangers of this crisis. This has resulted in too many first responders across our nation contracting COVID-19 and being forced to self-quarantine, which has led to staffing shortages.³ As of April 1, more than 1,400 New York City Police Department employees have contracted COVID-19, with 6,100 in total in quarantine, and 282 New York City Fire Department employees have contracted COVID-19, with 950 in total in quarantine.⁴ While New York City is the current epicenter of the U.S. outbreak, many other cities and states with developing outbreaks such as New Jersey, Florida, Detroit, Seattle, Washington D.C., and several additional states and cities across the nation⁵ have reported a significant number of first responders contracting COVID-19 or requiring self-quarantine.

As this outbreak continues, many more first responders will undoubtedly contract COVID-19 or be forced to self-quarantine. To support our nation's police officers, firefighters, and EMS personnel serving on the front lines of this pandemic, we urge action on the below items.

- Bolster Assistance to Firefighter Grant, Staffing for Adequate Fire and Emergency Response (SAFER), and Department of Justice grant funding, including for the Community Oriented Policing Services program, so that state and local police, fire, and EMS departments can access resources to purchase and be reimbursed for PPE and other COVID-19 related expenses, recruit and retain employees and volunteers, and cover overtime, backfill costs, authorized hazard pay, and COVID-19-related paid sick leave during the crisis.

- Require that the Secretary of the Department of Homeland Security waive the cost share and maintenance of expenditure requirements for Assistance to Firefighter Grants for reimbursement of COVID-19-related expenses through FY21.
- Require that the Secretary of the Department of Homeland Security grant waivers to SAFER grant recipients for employee retention to aid staffing shortages through FY21. In addition, any legislation should retroactively require that the Secretary grant such waivers for FY19 and FY20 SAFER funds.
- Waive the prohibition on hazard pay for federal firefighters under 5 U.S.C. § 5545b(d)(1) for purposes of COVID-19 response, provide funding to federal agencies sufficient to cover hazard pay to frontline federal firefighters and law enforcement officers when appropriate, extend overtime pay to U.S. Probation Officers, and waive the federal firefighter and law enforcement officer overtime cap under 5 U.S.C. § 5547.
- Address the gap in paid sick leave coverage for first responders by requiring that the employing agency, not the employee, provide up to 80 hours of paid sick leave should these departments order the employee to self-quarantine in accordance with Centers for Disease Control and Prevention guidelines due to potential COVID-19 exposure.
- Create a presumption in the Public Safety Officers' Benefits Program that a public safety officer's infection of COVID-19 resulted from their employment to clearly establish eligibility for benefits due to the pandemic.
- Prevent the taxation of state and local incentives for volunteer firefighters and EMS personnel beyond 2020 in order to help departments continue to recruit and retain volunteer personnel.

During a time of crisis, communities rely on local first responders as the first line of defense for protection and emergency response. As you continue to develop further legislation in response to the COVID-19 pandemic, we urge you to include the above items so that our nation's first responders can operate at full capacity as we fight the COVID-19 pandemic.

Sincerely,

/s/ Christopher A. Coons
United States Senator

/s/ Susan M. Collins
United States Senator

/s/ Richard Blumenthal
United States Senator

/s/ Richard J. Durbin
United States Senator

/s/ Mark R. Warner
United States Senator

/s/ Angus King
United States Senator

/s/ Jon Tester
United States Senator

/s/ Thomas R. Carper
United States Senator

/s/ Chris Van Hollen
United States Senator

/s/ Ron Wyden
United States Senator

/s/ Robert P. Casey, Jr.
United States Senator

/s/ Amy Klobuchar
United States Senator

¹ Lazaro Gamio, *The Workers Who Face the Greatest Coronavirus Risk*, The New York Times (March 15, 2020), <https://www.nytimes.com/interactive/2020/03/15/business/economy/coronavirus-worker-risk.html>.

² Ali Watkins, *N.Y.C.'s 911 System Is Overwhelmed. 'I'm Terrified,' a Paramedic Says*, The New York Times (March 28, 2020), <https://www.nytimes.com/2020/03/28/nyregion/nyc-coronavirus-ems.html>.

³ Marshall Allen, Topher Sanders, Joaquin Sapien, and Lexi Churchill, *First Responders Face High Risk but Lack Supplies and Personnel to Combat Coronavirus*, ProPublica (March 13, 2020), <https://www.propublica.org/article/emergency-medical-responders-have-lacked-guidance-and-are-stretched-for-supplies-and-personnel-to-combat-coronavirus>.

⁴ Madeline Holcombe, *12 NYPD Members Have Died from Suspected Cases of Coronavirus and Nearly 20% of Its Uniformed Workforce Is Out Sick*, CNN (April 7, 2020), <https://www.cnn.com/2020/04/07/us/nypd-coronavirus-out-sick/index.html>; William Feuer, *More than 1,000 New York City Police Officers Have the Coronavirus as 911 Calls Hit Records*, CNBC (April 1, 2020), <https://www.cnbc.com/2020/04/01/more-than-1000-new-york-city-police-officers-are-infected-with-coronavirus.html>.

⁵ Mike Berman, *Police in Several Cities Test Positive for Coronavirus, Stirring Fears of Spread Among First Responders*, The Washington Post (March 28, 2020), https://www.washingtonpost.com/national/police-in-several-cities-test-positive-for-coronavirus-stirring-fears-of-spread-among-first-responders/2020/03/28/b88b17f4-6f9a-11ea-a3ec-70d7479d83f0_story.html.