



**States Struggled With Acquiring
PPE, Tests, And Ventilators In Early
COVID-19 Response Due To Federal
Incompetence**

EXECUTIVE SUMMARY

Records obtained by Accountable.US show that states across the country struggled to work with the federal government to perform mass testing and acquire necessary PPE and ventilators in the early days of the COVID-19 outbreak. Poor, confusing, or inconsistent communication from federal bodies hampered state's responses as they scrambled to deal with an increasingly escalating crisis in March and April. These gulfs in communication put the onus increasingly on states to manage the crisis on their own.

Acquiring, processing, and administering tests were issues across the board for states. The Federal government gave state governments a small window to gear up state testing sites to be fully independent of federal help—while giving no such timeline for private facilities. HHS sent around a power point on testing guidance with a link to [URL TBD] for patients to visit. Public laboratories struggled to fill orders and states such as Idaho found the feds of no help in getting their tests processed. Oregon and New Mexico struggled to get an appropriate number of testing supplies—including Oregon only received 4 of the 5,000 tests it requested—as the federal government had no answers in the face of shortages.

PPE and ventilators were scarce and unevenly distributed, or even seized by the federal government. Georgia sent a desperate order for 20 ventilators while Florida sat on 5,000. New Mexico sent a letter pleading for critical-need supplies after their SNS order came 25% short. After Georgia only received a small portion of

its PPE order, it was told to file a second request and wait in the queue for the supplies. Idaho attempted to source N95 Masks from a South African distributor, only to have that shipment blocked the country blocked exports of supplies in retaliation when Trump announced the US was doing the same. Georgia had a shipment of ventilators arrive late with no explanation from the federal government—a mistake with potentially deadly consequences. Colorado had a shipment of a million N95 masks and 500 ventilators seized by FEMA and the federal agency struggled to explain why while state officials fumed. One Kansas official described data models disseminated by FEMA as “insulting” for being inaccurate— Kansas and Iowa officials both found the models inconsistent and not reflective of the reality on the ground, hindering the states' abilities to accurately project the spread of coronavirus.

These shortages also led to state governments projecting hopes on the DPA, a program the federal government failed to explain. FEMA regional administrators sent an email to a variety of southern state officials explaining the DPA, having to caution that it could not be sued to seize shipments from legitimate vendors. Across the country, however, other regional FEMA staff also, convolutedly, the DPA for its seizure of Colorado's ventilators and PPE claiming it was due to subcontracting issues by DPA awarded companies.

As the causalities of coronavirus continue to rise these records force us to ask ourselves how many may still be alive had the federal government effectively coordinated the response in the crisis' nascent, and most crucial, days.

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States Struggled To Acquire Crucial Tests And Testing Capacity From During The Early Days Of The COVID-19 Pandemic

Internal Emails Show States Struggling To Obtain Critical Testing Supplies From The Trump Administration

The Federal Government Pushed Responsibility For COVID Testing On The States

TRUMP TOLD STATE GOVERNORS THAT HE DIDN’T THINK TESTING WAS AN ISSUE ANYMORE THE SAME DAY THE FEDERAL GOVERNMENT ANNOUNCED ITS INTENTION TO WITHDRAW ALL SUPPORT FROM STATE RUN TESTING FACILITIES—WITHOUT ANNOUNCING THE SAME INTENTION FOR THE PRIVATE SITES TRUMP TOUTED

March 30, 2020: Trump Told Governors That Testing On The Ground Was No Longer A Problem Despite Contrary Stories From States. “President Trump told governors on a conference call on Monday that he had not ‘heard about testing in weeks,’ suggesting that a chronic lack of kits to screen people for the coronavirus was no longer a problem. But governors painted a different picture on the ground.” [[New York Times, 3/30/20](#)]

March 30, 2020: The Trump Admin Told States About Its Intent To Shift All Federally Supported Health Testing Sites To Entirely State And Local Governments Support By April 10, 2020...

The CBTS Task Force is transitioning all existing federally supported CBTS to fully state led, managed, and supported testing sites no later than April 10, 2020. This will include the demobilization of all USPHS officers directly supporting the CBTS, the final disposition of all federal supplies associated with the USPHS ordering physician and stop orders of all federally supported agreements and/or contracts.

The CBTS Task Force has established five conditions states/locals should meet for transition to fully state led sites:

- Identification of a state credentialed healthcare provider(s) to serve as the ordering physician(s) for lab testing
- State procurement and managed supply (including personal protective equipment, test kits, etc.) acquisition capability
- State secures clinical laboratories to perform tests authorized by the FDA
- State establishes courier service to deliver testing specimens to labs
- State notification process to inform individuals of lab results.

[[Georgia Department Of Emergency Management, Page 138, 3/30/20](#)]

...But Privately Administered Testing Sites Were Not On The Same Brief Timeline.

The final CBTS Transition Plan is attached and only applicable to state managed CBTS. CBTS run by private partners (CVS, Rite Aid, Wal Mart, and Wal Greens) will be addressed separately by the Task Force. Please feel free to share the transition plan with participating state/local

health partners.

[[Georgia Department Of Emergency Management, Page 138, 3/30/20](#)]

In Fact, The Scores Of Big Box Retailer Testing Sites Trump Touted At A CEO-Filled Rose Garden Event Did Not Come To Fruition....

Trump Promised A “Network” Of Drive Through Testing Sites At Large Stores Nationwide, But The Washington Post Could Only Identify Five “Two weeks ago, President Trump promised a network of drive-through covid-19 testing sites across the country where people could be tested ‘very safely, quickly and conveniently.’ In a Rose Garden news conference, chief executives of Target, Walgreens, Walmart and CVS said they would work with the government to provide space in store parking lots. While the four retailers have a combined 26,400 U.S. stores, this vision of a proliferation of coronavirus testing sites has yet to materialize. Walgreens and CVS have opened one site each, while Walmart last weekend opened two drive-through testing locations near Chicago. Target hasn’t opened any. Rite Aid, which joined the effort later, has opened one drive-through facility in Philadelphia.” [[Washington Post, 3/27/20](#)]

March 15, 2020: FEMA HQ Excluded NYC From Cities It Was “Focused” On

March 15, 2020: FEMA HQ Had Been Excluding NYC From Cities They Were “Focused” On.

Begin Message:

FEMA HQs is trying to schedule a call for early this afternoon with the VPOTUS swab test site team.

Earlier today, they had a very good call with FEMA Regions 3, 6 and 10. They chose those first because they contain the focused focused cities they are interested in. They would like to expand the conversation to include Mass and NY among others. The ask will be "do you want to participate, what help do you need, how many sites, where." They can provide some assistance and they'll

[[Georgia Department Of Emergency Management, Page 231, 3/15/20](#)]

HHS Disseminated A PowerPoint Presentation That Featured Instructions For Individuals To Visit A Website With "[URL TBD]" To Determine If They Needed Testing.

March 16, 2020: HHS Disseminated A PowerPoint Presentation Which Featured Instructions For Individuals To Visit [URL TBD] To Determine If They Needed Testing.

PRE-SCREENING PROCESS AND INSTRUCTIONS:

- Individual visits website to determine need for testing at [URL TBD]
- Instructed to Bring:
 - Photo ID for all adults needing testing
 - Health insurance card (everyone will be tested regardless if they have insurance)
 - Healthcare or first responder ID
- Instructed not to take fever-reducing medicine prior to testing (such as Tylenol [acetaminophen] or Advil [ibuprofen]) for at least 6-8hrs prior to arrival

[[Georgia Department Of Emergency Management Attachments, Page 2, 3/16/20](#)]

A Top HHS Official Acknowledged Troubles Fulfilling Public Health Laboratories' Orders For The CDC's COVID-19 Testing Kit, Even As Trump Claimed There Were No Issues With Testing

HHS OFFICIAL DARCIE JOHNSTON ADMITTED THAT "THERE ARE BROAD, NATIONAL AND GLOBAL SUPPLY CHAIN SHORTAGES THAT ARE IMPACTING THE ABILITY...TO IMMEDIATELY FILL ORDERS"....

HHS Official Darcie Johnston Admitted That "There Are Broad, National And Global Supply Chain Shortages That Are Impacting The Ability...To Immediately Fill Orders."

From: Johnston, Darcie (HHS/IEA) <Darcie.Johnston@hhs.gov>
Sent: Saturday, March 21, 2020 3:49 PM
To: MCCOLAUGH Annie * GOV <Annie.MCCOLAUGH@oregon.gov>; Graham, John (HHS/IEA) <John.Graham@hhs.gov>; Smart, John (OS/ASPR/EMMO) <John.Smart@hhs.gov>; PIRTLE-GUINEY Elana * GOV <Elana.PIRTLE-GUINEY@oregon.gov>; Flowers, Artensie (OS/ASPR/EMMO) <Artensie.Flowers@hhs.gov>
Cc: Lopez, Christopher (Federal) <DLopez@doc.gov>; Stevens, Lee (OS/IEA) <Lee.Stevens@hhs.gov>; Swint, Zachariah D. EOP/WHO <Zachariah.D.Swint2@who.eop.gov>; Morse, Sara (HHS/ASL) <Sara.Morse@hhs.gov>
Subject: CDC test kits

Hi Annie, Elana and Artensie,
CDC is actively working to make CDC's COVID-19 testing kits available to public health laboratories. We certainly understand the frustration states are experiencing and want to be as supportive as possible during these challenging circumstances.

We want to reassure that requests for reagents are being filled by the IRR as quickly as possible. However, there are broad, national and global supply chain shortages that are impacting the ability of not only the IRR, but all purchasers, international and domestic, to immediately fill orders.

Our CDC Lab Task Force just checked on requests specifically from Oregon. Starting in early February, the IRR has made 18 shipments to Oregon, containing 62 specific components. In the past few days, we have received two additional requests and 14 components have been approved to be processed and shipped. IRR is working diligently get those orders processed and shipped out as soon as possible.

Darcie L. Johnston
Director, Intergovernmental Affairs

2020-0305 056 04/24/2020

[[Oregon Health Authority Records, page 111, 3/21/20](#)]

...EVEN AS MONTANA GOVERNOR STEVE BULLOCK SAID HIS STATE WAS “ONE DAY AWAY” FROM NOT BEING ABLE TO MORE TESTING, TRUMP SAID HE HADN’T “HEARD ABOUT TESTING BEING A PROBLEM”

Montana Gov. Steve Bullock Told Trump Montana Was Almost Out Of Tests, And Trump Responded That He Hadn’t Heard About Testing Being A Problem “In audio of the call published by CBS News, Montana Gov. Steve Bullock (D) details two problems with testing. First, that his state doesn’t have enough tests, saying ‘we’re one day away if we don’t get test kits from the CDC that we wouldn’t be able to do testing.’ And second, that the federal government has depleted the tests available on the private market. These are known issues, and are problems the Trump administration has been repeatedly criticized for not working harder to solve. But Trump respond to Bullock’s concerns by saying, ‘I haven’t heard about testing in weeks. We’ve tested more now than any nation in the world. We’ve got these great tests, and we’ll come out with another one tomorrow, that’s almost instantaneous testing. But I haven’t heard about testing being a problem.’” [[Vox, 3/31/20](#)]

TRUMP TESTING CZAR BRETT GIROIR PROMISED THAT THE US HAD THE ABILITY TO RAPIDLY SCALE UP THE NUMBER OF TESTS ADMINISTERED BY THE END OF MARCH BUT DIDN'T DELIVER...

March 21: Testing Czar Brett Giroir Promised 27 Million Tests By March 28 “You said, eight days ago, that we would have 1.4 million tests on board by the end of this week, by today. Do we have that? Can you give us the number that we have? THE VICE PRESIDENT: Why don't we let Admiral Giroir speak to that? ADMIRAL GIROIR: So, I'm going to answer your question and then try to — try to persuade you to stop asking about a specific number. Okay? So, from March 2nd to March 14th, we have put over 10 million laboratory tests into the US commercial market, and we expect that, by March 28th, to be well over 27 million into the market. So that answers your question.” [[White House Transcript, 3/21/20](#)]

...But Independent Testing Data Suggests That As Of March 30, Only 1 Million Tests Had Been Administered “According to Tracking Project numbers released March 30, fewer than 1 million total tests, regardless of the results, have been conducted in states across the country. About 113,000 of those were conducted on March 29 alone, and the number of daily tests being taken nationwide rose above 20,000 only on March 18, two days after Trump claimed 5 million would be available nationwide. According to the COVID Tracking Project, the U.S. did not administer more than 100,000 tests in one day until March 25.” [[Newsweek, 3/31/20](#)]

After Getting Only FOUR Of The 5,000 Test Kits Requested From HHS, Oregon's Health Department Tried To Follow Up With The Federal Government, Only To Be Told Five Days Later That The Ability To Acquire More [Test Kits] Is “Very Difficult And Competitive...”

April 11, 2020: Despite Ordering 5,000 COVID-19 Testing Kits Through The CDC's International Reagent Resource, The Oregon Health Authority Was Only Able To Receive FOUR Kits From HHS—At \$880 Per Kit...

-----Original Message-----

From: GRENZ Ladonna <Ladonna.GRENZ@dhsosha.state.or.us>

Sent: Saturday, April 11, 2020 10:21 AM

To: Fontana John L <JOHN.L.FONTANA@dhsosha.state.or.us>; HEARN Sheri L <SHERI.L.HEARN@dhsosha.state.or.us>

Cc: Sevey Shane A <SHANE.A.SEVEY@dhsosha.state.or.us>

Subject: FW: PO# 75A50120C00072 Order Confirmation

I ordered 5000 per Sheri's email through IRR and it looks like we are going to receive 4 kits. For \$888.00 each kit. From HHS.

~LaDonna

[[Oregon Health Authority Records, page 94, 4/11/20](#)]

.... April 11, 2020: The Oregon Health Authority Sent An Email To FEMA and HHS Asking For Assistance In Getting “Closer To The Requested Amount” Of Testing Kits....

-----Original message-----

From: SAITO Akiko

Sent: Saturday, April 11, 2020 6:19 PM

To: Jahier Andrew (FEMA FIT) <andrew.jahier@fema.dhs.gov>; Csernak, David (OS/ASPR/OEM) <david.csernak@hhs.gov>

Cc: CUNNINGHAM Brad * DAS <Brad.CUNNINGHAM@oregon.gov>; Fontana John L <JOHN.L.FONTANA@dhsosha.state.or.us>; HEARN Sheri L <SHERILL.HEARN@dhsosha.state.or.us>; BIDDLECOM Cara M <Cara.M.BIDDLECOM@dhsosha.state.or.us>

Subject: FW: PO# 75A50120C00072 Order Confirmation

Hi Andrew and Dave,

We went through the CDC-IRR ordering process as we had been told and we were only able to get 4 Abbott kits out of the 5,000 that we ordered. Can you please assist us in figuring out how we can get closer to a requested amount?

In the meantime, Brad's team at DAS will be trying to order this as well, but at this point we have devices but no test kits to run any tests.

Thank you for your assistance with this.
Akiko

Akiko Saito
(971) 673-1363 office
(503) 593-6228 cell

[[Oregon Health Authority Records, page 94, 4/11/20](#)]

... Five Days Later And Seemingly After No Response, The Oregon Health Authority Followed Up On Its Request For Assistance

David Csernak, MS
HHS/ASPR Agency Representative
OR State Emergency Coordination Center
HHS/ASPR/Emergency Management & Medical Operations
Cell: (301) 974-7816
david.csernak@hhs.gov

On Apr 16, 2020, at 1:46 PM, SAITO Akiko <Akiko.SAITO@dhsosha.state.or.us> wrote:

Hi Andrew and Dave,
I am checking on this again. Were you able to track down any more Abbott test kits?
Thank you,
Akiko

Akiko Saito

[[Oregon Health Authority Records, Page 112, 4/16/20](#)]

April 16, 2020: HHS' Preparedness And Response Office Responded Stating That "There Is A Critical Shortage On Abbott Test Kits And The Ability To Acquire More Is Very Difficult And Competitive..."

Akiko,

At this time there is a critical shortage on the Abbott test kits and the ability to acquire more is very difficult and competitive at the moment. I had a good conversation with Rob at the State Lab this morning about supply ordering (to include the Abbott kits) and if there was a need for a state strategy to support the rural facilities. Since Abbott kits don't seem to be the answer, I'm happy to assist with developing that strategy.

V/r

Dave

David Csernak, MS
HHS/ASPR Agency Representative
OR State Emergency Coordination Center
HHS/ASPR/Emergency Management & Medical Operations
Cell: (301) 974-7816
david.csernak@hhs.gov

[[Oregon Health Authority Records, Page 111, 4/16/20](#)]

April 2, 2020: State And Local Public Health Labs Were Set To Receive A Total Of Only 5,500 Coronavirus Tests—“Well Short Of The ‘About 500,000 Capacity Of Abbott Tests That’ Dr. Deborah Birx ... Said Were In The States And Were ‘Not Being Utilized.’ “A coronavirus test made by Abbott Laboratories and introduced with considerable fanfare by President Donald Trump in a Rose Garden news conference this week is giving state and local health officials very little added capacity to perform speedy tests needed to control the COVID-19 pandemic. ‘That’s a whole new ballgame,’ Trump said. ‘I want to thank Abbott Labs for the incredible work they’ve done. They’ve been working around-the-clock.’ Yet a document circulated among officials at the Department of Health and Human Services and the Federal Emergency Management Agency this week shows that state and local public health labs were set to receive a total of only 5,500 coronavirus tests from the giant manufacturer of medical devices, diagnostics and drugs, according to emails obtained by Kaiser Health News. That number falls well short of the ‘about 500,000 capacity of Abbott tests that’ Dr. Deborah Birx, the White House coronavirus response coordinator, said were in the states and were ‘not being utilized.’ Although it is unclear whether she was referring to just the quick test or combining it with another test — one with slower results — that Abbott previously received authorization to sell.” [[Kaiser Health News, 04/02/20](#)]

April 15, 2020: HHS’ Preparedness and Response Office Sent An Email To The Oregon Health Authority Regarding COVID-19 Testing Supplies, Stating “We Are Now Stealing From Peter To Pay Paul.”

Akiko,

I just got off a series of calls and emails pertaining to this issue. We apologize for the fluid processes, but are working with the RRCC (who is coordinating with the NRCC) to get to the most current information. Here is what we have so far:

1. The "Community Based Testing Site (CBTS)" position at the NRCC is tasked with processing RRF requests for testing supplies (Swabs & Media) to support all CBTS and Non-CBTS sites.
2. The IRR is adding swabs and media, as well as Abbott testing kits, to their catalog for the Public Health Labs... however, it's in very limited amounts. As a backup plan, the State Lab could send swab and media requests (NOT reagents) up through the State (via OpsCenter) if the IRR is having issues filling their requests.
3. There is a nationwide shortage on all testing supplies. FEMA and HHS are working with manufacturers to ramp up production. Based on these constraints, all orders are being triaged and adjudicated at the national level to determine how the supplies will be allocated.
4. Communication is KEY to success. We do not want states to run out of testing supplies. Therefore, if a critical testing location is about to run out (< 72hrs of supplies remaining), the state must communicate the need (with a detailed justification), via an URGENT RRF to the RRCC. However, please realize when this happens we are now stealing from Peter to pay Paul... and this is not sustainable. In order to avoid reaching a point where supplies are depleted and testing has to shut down, it is critical that each state strategically prioritize their labs and testing locations. While this may reduce overall capacity in the short term, it will allow vital resources to be concentrated at key locations and maintain testing capability.
5. The Goal is to stabilize the national supply chain and get everyone back to only utilizing their regular vendors and the IRR system.

From: Csernak, David (OS/ASPR/EMMO) <David.Csernak@hhs.gov>
Sent: Wednesday, April 15, 2020 2:32 PM
To: SAITO Akiko <Akiko.SAITO@dhsosha.state.or.us>; Jahier, Andrew <andrew.jahier@fema.dhs.gov>; Benson, Shannon <Shannon.Benson@fema.dhs.gov>
Cc: Fontana John L <JOHN.L.FONTANA@dhsosha.state.or.us>; Rau, Erik <erik.rau@mil.state.or.us>; Nickla Robert E <ROBERT.E.NICKLA@dhsosha.state.or.us>; Smart, John (OS/ASPR/EMMO) <John.Smart@hhs.gov>; YOUNG Collette M <Collette.M.YOUNG@dhsosha.state.or.us>; HEARN Sheri L <SHERI.L.HEARN@dhsosha.state.or.us>; CUNNINGHAM Brad * DAS <Brad.CUNNINGHAM@oregon.gov>; KUMPULA Darwin * DAS <Darwin.KUMPULA@oregon.gov>; Duffy, John (OS/ASPR/EMMO) <John.Duffy@hhs.gov>; Michael.Brockett@fema.dhs.gov; Cockrill, Jennifer (OS/ASPR/EMMO) <Jennifer.Cockrill@hhs.gov>; Baden David <DAVID.BADEN@dhsosha.state.or.us>
Subject: RE: IRR Guidance Coronavirus (COVID-19) Pandemic: International Reagent Resource
Importance: High

[[Oregon Health Authority Records, page 103 – 104, 4/24/20](#)]

The Oregon Health Authority Ran Low On Transport Media, And Asked The CDC If It Could Use Sterile Saline As A Replacement

The Oregon Health Authority Ran Low On Transport Media, And Asked The CDC If It Could Use Sterile Saline As A Replacement.

From: Fontana John L
To: respviro@cdc.gov
Cc: [Sevey Shane A \(SHANE.A.SEVEY@dhsoha.state.or.us\)](mailto:Sevey.Shane.A (SHANE.A.SEVEY@dhsoha.state.or.us))
Subject: Suitability of Nasal/Pharyngeal Swabs in Sterile Saline as viral transport media
Date: Monday, March 16, 2020 3:28:00 PM

Hi Respivrus Team-

The Oregon Lab is running low on commercially prepared viral transport media and universal transport media. Is sterile saline a suitable substitute for transport media for nasopharyngeal specimens?

Please advise,
and thank you for your help!

John

John Fontana PhD, (HCLD) ABB
Laboratory Director
Oregon State Public Health Laboratory
Public Health Division
Oregon Health Authority
p: 503-693-4101
c: 503-319-2685

[[Oregon Health Authority Records, page 103 – 104, 3/16/20](#)]

New Mexico Could Still Not Obtain Needed Testing Supplies From The Trump Administration, A Month After An Administration Official Said There Might Be Shortages And Said The Administration Was Preparing

THE TRUMP ADMINISTRATION DIVISION RESPONSIBLE FOR DISTRIBUTING REAGENTS – CHEMICALS NEEDED FOR COVID-19 TESTS – TO QUALIFIED LABS WAS OUT OF A NEEDED REAGENT, SENT TESTING KITS IN “INSUFFICIENT QUANTITIES,” AND WAS TOTALLY OUT OF EXTRACTION KITS

One Of The Reagents New Mexico REQUESTED Was Out Of Stock AT THE CDC

From: [Hecker, Lisa](#)
To: [Bell, David](#)
Subject: FW: reagent supply
Attachments: [image010.png](#)
[image011.jpg](#)
[image012.jpg](#)
[image013.jpg](#)
[image014.jpg](#)
[image015.jpg](#)

Dave—

Thanks for the call. Please see string below on supply needs from the state lab for testing kits and reagent. I've highlighted the pertinent sections for you so you don't have to read each and every word. Note that the last one on the list of reagent supplies (MagNA LC Nucleic Acid Isolation) is "out of stock" through the CDC's IRR system.

Please keep me posted on what you find out.

Thanks,

Lisa Hecker
Logistics-COVID19 | New Mexico EOC | FEMA Region 6
Mobile: 940.536.8315
lisa.hecker@fema.dhs.gov or FEMA-FIT-NM@fema.dhs.gov

Federal Emergency Management Agency
fema.gov

[[New Mexico Governor's Office, Page 75, 4/07/20](#)]

The CDC Sent Testing Kits In Insufficient Quantities And Was Totally Out Of Extraction Kits

From: "Hecker, Lisa" <lisa.hecker@fema.dhs.gov>
Date: April 11, 2020 at 10:47:57 AM EDT
To: "Nava, Kenneth A MG USARMY NG NMARNG (USA)" <kenneth.a.nava.mil@mail.mil>
Cc: "Eslinger, Sandra" <sandra.eslinger@fema.dhs.gov>, "Kerster, Courtney, GOV" <Courtney.Kerster@state.nm.us>
Subject: [EXT] RE: [Non-DoD Source] Reagent

Sir—

RRF3, submitted on 03/23, was for 56,000 COVID19 test kits. This was prior to us being informed that test kits had to be ordered through the IRR. Not sure why this RRF has been approved now, but in talking to Adam Aragon at the State Lab, he'll take them. The orders he is placing through the IRR are not be filled in full and basically "trickling in" in insufficient quantities. We have not been told yet if we are getting the full quantity requested.

RRF6, submitted on 03/28, was for the reagent, which consists of 8 different elements. This was also prior to the IRR directive (which was on 03/30). I've been in touch with Adam Aragon at the State Lab every other day, who is supposed to let me know if they are at close to critical shortage of anything. Last I heard, they were very low on one of the 8 elements (extract kits), which we are looking for through Region 6, but it seems the IRR (and everyone else) is out of stock on the extraction kits. On April 6th Adam told me via e-mail me that "At the current rate the supply in the list will get us through about 9-10 days. Also, the items that are trickling in are from orders that we have in place with Roche. I am not able to order extraction kits from IRR at this time."

I've also attached e-mail string, which contains the supply list and more. Dave Bell is with FEMA R6, then a couple of e-mails between me and Adam Aragon on this topic.

[\[New Mexico Governor's Office, Page 73, 4/07/20\]](#)

The International Reagent Resource Is A CDC Division Created To Supply Reagents "The International Reagent Resource (IRR) was established by the Centers for Disease Control and Prevention (CDC) to provide registered users with reagents, tools and information for studying and detection of Influenza Virus. The IRR acquires, authenticates, and produces reagents that scientists need to carry out basic research and develop improved diagnostic tests, vaccines, and detection methods." [\[International Reagent Resource, accessed 5/6/20\]](#)

Reagents Are An Essential Component To Prepare COVID-19 Diagnostic Tests "Reagents are essential to prepare the coronavirus diagnostic tests, CDC's Redfield pointed out to lawmakers during Thursday's hearing, though he didn't elaborate on which specific reagents are in short supply." [\[MedTechDive, 3/13/20\]](#)

IN MARCH, FDA HEAD STEPHEN HAHN AND CDC HEAD ROBERT REDFIELD BOTH WARNED OF POTENTIAL SUPPLY SHORTAGES, BUT SAID THEY WERE WORKING TO ADDRESS THEM

CDC Director Robert Redfield Testified That “Some” Needed Reagents Were “In Short Supply” “CDC Director Robert Redfield on Thursday told the House Committee on Oversight and Reform that some of the reagents essential to conducting coronavirus diagnostic tests “now are in short supply,” coming a day after the FDA chief warned of pressures on supply.”
[[MedTechDive, 3/13/20](#)]

Robert Redfield Claimed The CDC And The FDA Were Working To Address The Potential Shortages “Redfield said CDC is working with FDA to address issues with the reagent supply chain. An agency spokesperson said FDA is conducting research into potential shortages in the supply chain of lab materials critical to COVID-19 testing, including reagents, extraction kits and swabs, as well as reaching out to original manufacturers of component parts, kit assemblers and distributors.” [[MedTechDive, 3/13/20](#)]

Idaho Sought Help Obtaining Reagents For Non-Public Health Labs, Who Could Not Order From the CDC. HHS And FEMA Didn’t Offer Help

THE IDAHO DEPARTMENT OF EMERGENCY MANAGEMENT ASKED FOR FEDERAL HELP IN OBTAINING REAGENTS FOR NON-PUBLIC LABS, BUT WAS TOLD IF THEY COULDN’T GET IT ON THE COMMERCIAL MARKET THEN FEMA COULDN’T HELP EITHER...WHICH THE DIRECTOR DID NOT LIKE

FEMA Could Not Help Non-Public Idaho Labs Obtain Needed Reagents For Covid-19 Testing....

ACCOUNTABLE^{US}

From: Smart, John (OS/ASPR/EMMO)
Sent: Friday, April 17, 2020 4:17 PM
To: Richy Brad
Cc: Toney Raines
Subject: Fwd: Idaho testing issues

Hi Brad.

Here are the answers. Hope I represented well enough. Let me know if I missed it.

CAPT John Smart
HHS/ASPR/Emergency Management and Medical Operations
Cell: [202.304.0043](tel:202.304.0043)
john.smart@hhs.gov

Begin forwarded message:

From: "Flowers, Artensie (OS/ASPR/EMMO)" <Artensie.Flowers@hhs.gov>
Date: April 17, 2020 at 07:00:10 PDT
To: "Smart, John (OS/ASPR/EMMO)" <John.Smart@hhs.gov>, "Weir, Charles (OS/ASPR/IO)" <Charles.Weir@hhs.gov>, "Andrews, Sean (OS/ASPR/EMMO)" <Sean.Andrews@hhs.gov>
Cc: "ASPR Region 10 (HHS/ASPR)" <ASPR.R10@hhs.gov>, "Horahan, Kevin (OS/ASPR/EMMO)" <Kevin.Horahan@hhs.gov>
Subject: Re: Idaho testing issues

Hi John,

Responses in red.

1

1. For organic testing capabilities in non-public health lab, reagents are not available through commercial acquisition. IRR is not option for ordering. Should RRF be submitted to seek supplies? The RRF process remain for ordering swabs and media. FEMA is referring state labs to the IRR for reagents and all others to the commercial market. FEMA stated that they would be unable to procure reagents as well if not available through the commercial market.
2. Abbott test units delivered to ID – tests are unable to be run because of incompatibility with unit/need updated instructions for use. Not clear to me but it's described as different between "dry" test and "wet" test. They have reagents for "wet" test but only have "dry" test swab kits or something similar. Any suggestions for correction? Direct ask back to Abbott? Yes, I suggest the lab reach back to Abbott for instructions on use. They can also reach out to the CDC IRR to ask questions about the swab kits and to determine if they have the correct ones.

[[Idaho Department Of Health And Human Services + Emergency Management Agency, Page 120-1, 4/17/20](#)]

...Which Was Not The Answer The Director Of Emergency Services Wanted.

From: Richy Brad
Sent: Friday, April 17, 2020 4:29 PM
To: Smart, John (OS/ASPR/EMMO)
Cc: Raines, Toney
Subject: RE: Idaho testing issues

Hi John,

Thanks for all your efforts and support, not the response we had hoped for however, we will work through it and make it work.

I hope you have a great weekend.

v/r
Brad

[[Idaho Department Of Health And Human Services + Emergency Management Agency, Page 503, 4/17/20](#)]

States Struggled To Acquire PPE And Ventilators In The Early Of The COVID-19 Crisis Due To Confusing, And Often Undermining Efforts By The Federal Government

States Struggled To Acquire PPE From The Federal Government And Private Sellers, Leading To Critical Shortages

Georgia Was Told To File Another Request For PPE—And Get In The Queue—After Only Receiving A Partial Amount Of Requested PPE The Same Day Trump Claimed He Was Sending “Tremendous” Amounts Of Supplies To Healthcare Workers

March 29, 2020: Trump Said His Administration Was Getting Healthcare Workers “Tremendous Amounts Of Supplies.” “My administration has mobilized our entire nation to vanquish the virus. We’re working across government and private sectors to get our heroic doctors, nurses, healthcare workers and — medical supplies they need. We’re getting them tremendous amounts of supplies.” [[White House Briefing, 3/29/20](#)]

March 29, 2020: Georgia Sent An Angry Internal Email Saying That After Only Receiving A Partial Amount Of A Promised “FINAL” Shipment From The SNS, They Were Told Could File Another Federal Request—But It Would Sit In The Queue...

Subject: FW: Correction to: Additions PPE Shipment to GEORGIA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Below list what we are "supposed" to get as our FINAL SHIPMENT from Federal SNS. They did make a comment that we can still order, but it will be put in the que for federal vendor buys. We are going ahead and starting to develop our next request now, warehouse lines with minimal stocks on hand in our SNS Warehouse. Leah will synch with the SOC to ensure we are on the same sheet before we drop the request.

Greg

Gregory W. Koller

Logistics Program Manager

Georgia Emergency Management and Homeland Security Agency

N95 Masks – 120,000

Surgical Masks – 287,000

Face Shields – 62,000

Surgical Gowns – 51,000

Coveralls – 3,500

Gloves – 368,000

[[Georgia Department Of Emergency Management, Page 11104, 3/29/20](#)]

FEMA Shared A List Of Ventilator Brands With Georgia Two Days After The State Put In A Request For One Of The Named Brands That Was Delayed By At Least 10 Days

March 19, 2020, 3:17 PM: FEMA Shared Information On The Ventilators In the Strategic National Stockpile.

Subject: Fwd: SNS Ventilators
Date: Thursday, March 19, 2020 3:17:15 PM

Per discussion on the call. This was sent to your state public health. Thank you!

The Strategic National Stockpile (SNS) holds an inventory of ventilators of various types that can be deployed during a public health emergency if public health and healthcare facilities need additional ventilators to care for patients. Currently, there are three ventilator models in the SNS:

- Covidien (Puritan Bennett) LP10
- Vyaire (CareFusion) LTV1200
- and the Zoll (Impact Implementation)

[[Fwd: SNS Ventilators, 3/19/20](#)]

March 19, 2020, 5:35PM : Sent A Follow-up Request For 250 Vyaire LTV1200 Ventilators Because A March 17 Order Was Put On A "Build Schedule And Were Told They Would Not Receive Them For Ten Days.

Date: Thursday, March 19, 2020 5:35:14 PM
Attachments: [GA RRF VENTS 3-19-20.pdf](#)

Manny,

Please see the attached RRF. We are requesting 250 Ventilators, specifically the Vyair LTV1200. Georgia placed an order two days ago for these same ventilators, but unfortunately we were put on a "build schedule." We will receive our first shipment at the earliest in 10 days and only for 1/6 of our order. The Ventilators requested will bridge the gap for Georgia. We requested this specific model because it's a popular model, plus its training materials and consumables are interchangeable with the ones we ordered.

Let us know if you need anything further. Our DPH folks are on this email as well.

Thanks,

Joey Greene
General Counsel
GEMA/Homeland Security

[\[GA RRF For Ventilators \(1\), 3/19/20\]](#)

Crucial Ventilators Arrived A Day Late In Georgia And HHS Offered "No Explanation" But Laid Some Blame At The Feet Of State Agencies

March 24, 2020: Georgia's Emergency Management Agency Grew Angry When A Supply Of Ventilators Did Not Arrive On Time And Waited Up Until 3am That Night.

From: Greg Koller <greg.koller@gema.ga.gov>
Sent: Wednesday, March 25, 2020 8:17 AM
To: Luddeke, R <R.Luddeke@fema.dhs.gov>
Cc: Willie T. Boston Jr <wboston@GFC.STATE.GA.US>; Moore, Thomas <thomas.moore@gema.ga.gov>; Homer Bryson <homer.bryson@gema.ga.gov>; Daniell, Frank <frank.daniell@dph.ga.gov>
Subject: Ventilators
Importance: High

Bond,

Where are my ventilators???? They were supposed to be here last night and we waited until 0300 hours before giving up..... What say you????

Gregory W. Koller
Logistics Program Manager

[\[Georgia Department Of Emergency Management, Page 455, 3/25/20\]](#)

March 25, 2020: FEMA Responded To The Request "Consulting With HHS, Please Stand By."

Date: Wednesday, March 25, 2020 8:24:12 AM
Attachments: [image001.png](#)

Consulting with HHS,

Stand by

[[Georgia Department Of Emergency Management, Page 2113, 3/25/20](#)]

March 25, 2020: HHS Set An Email Which Claimed They Had “No Explanation For The Delay” But Proceeded To Lay Some Blame At The Feet Of State Agencies For The Confusion.

On Mar 25, 2020, at 11:03 AM, Eckes, Jeanne (OS/ASPR/EMMO)
<Jeanne.Eckes@hhs.gov> wrote:

All

I have spoken with GDPH and SNS staff. SNS states the vents are being loaded now; have no explanation for the delay from last night. I am told is a transportation issue within SNS; we will continue to address that issue. Per GDPH (Kelly and KT both) say they are good at the moment and there is no outstanding critical need in a healthcare facility.

With all due respect, moving forward we really need to be in synch with GDPH and will take the vent requests from GDPH and not GEMA. I recognize that vents in particular generate a “must act now” feeling but a methodical process is being undertaken and will continue throughout this marathon. KT from GDPH is working with all the hospitals to determine the exact need and is negotiating through the “panic need” of “I want vents”.

Keep up the great work everyone is doing!!

Regards,
Jeanne

COVID-19 Response-RRCC HHS Agency Representative
R4-phul@fema.dhs.gov
(please cc all correspondence to this ESF 8 desk address)

[[Georgia Department Of Emergency Management, Page 148, 3/25/20](#)]

The Ventilators Arrived 3/25 By 1:42 PM.

From: [Luddeke, R](#)
To: [Greg Koller](#)
Cc: [Willie T. Boston Jr](#); [Thomas Moore](#); [Lloyd, Paul](#); [Homer Bryson](#); [Daniell, Frank](#); [Hare, Kertz M](#)
Subject: RE: Ventilators
Date: Wednesday, March 25, 2020 1:42:14 PM
Attachments: [image001.png](#)
[FW GA 2nd Vent Order Shipping and Driver information from GA.msg](#)

See attached email.

Vents are there.

[[Georgia Department Of Emergency Management, Page 455, 3/25/20](#)]

Georgia Emergency Management Agency Accused FEMA Of Sending “Misleading” Spreadsheets Noting PPE Distribution

FEMA Sent A Spreadsheets Two Instances Of PPE Distribution To Georgia.

From: Luddeke, R [mailto:R.Luddeke@fema.dhs.gov]
Sent: Monday, March 23, 2020 8:15 AM
To: Greg Koller; 'leah.hoffacker@dph.ga.gov'
Cc: R4-phul; Lloyd, Paul; Hare, Kertz M; Brown, Terry L
Subject: PPE from SNS distribution as of 0500 03/22/20 - Georgia

This is what HHS has distributed from the SNS for PPE as of 0500 03/23/20

equipment.

SNS PPE Allocation (EACHES)

Note: *Expired product is subject to CDC/NIOSH recommendations/EUA/CDC strategies for optimizing the supply of N95s Respirators

RRFs and Pro Rata Distribution	25% Pro Rata	Census Population	*N95 Respirators	Face Masks/Surgical Masks	Face Shield	Surgical Gowns	Coveralls	Gloves
	REGION IV							
First Pro Rata	Georgia	9,687,653	93,195	222,007	42,274	34,467	176	122,725
Second Pro Rata			93,195	222,007	42,274	34,467	176	122,725
Third Pro Rata								
TOTAL TO DATE			186,390	444,014	84,548	68,934	352	245,450
2642-110062			260,000	520,000	260,000	260,000		520,000

[[Georgia Department Of Emergency Management, Page 445, 3/23/20](#)]

Georgia Emergency Management Agency Claimed The Spreadsheet Was “Misleading” Because It Showed Two PPE Shipments—But GA At The Time Had Only Received One .

Bond,

We have only received one pro rata to date. Not sure why this say we received two...we have the shipping documents here to prove it. The spreadsheet is very misleading!

Gregory W. Koller
Logistics Program Manager
Georgia Emergency Management and Homeland Security Agency
Office: 404-635-7521
Cell: 404-615-9589
So LINC: 1*11*4033
Email: greg.koller@gema.ga.gov
Website www.gema.ga.gov



From: Luddeke, R [mailto:R.Luddeke@fema.dhs.gov]
Sent: Monday, March 23, 2020 8:15 AM
To: Greg Koller; 'leah.hoffacker@dph.ga.gov'
Cc: R4-phul; Lloyd, Paul; Hare, Kertz M; Brown, Terry L
Subject: PPE from SNS distribution as of 0500 03/22/20 - Georgia

This is what HHS has distributed from the SNS for PPE as of 0500 03/23/20

[[Georgia Department Of Emergency Management, Page 445, 3/23/20](#)]

FEMA Clarified The Spreadsheet For "Distribution" Only Noted Shipments, Not Deliveries.

From: Luddeke, R
To: Greg Koller; 'leah.hoffacker@dph.ga.gov'
Cc: R4-phul; Lloyd, Paul; Hare, Kertz M; Brown, Terry L; Thomas Moore; Homer Bryson
Subject: RE: PPE from SNS distribution as of 0500 03/22/20 - Georgia
Date: Monday, March 23, 2020 9:02:22 AM
Attachments: imae001.png

As we discussed last night, the second shipment is in process and out for delivery. Shipped 3/21/20. You will receive the second shipment within the next couple days

[[Georgia Department Of Emergency Management, Page 445, 3/23/20](#)]

The New Mexico Governor's Office Sent An Urgent Request To HHS Demanding That The State Receive Its Full Order From The Strategic National Stockpile To Address "Critically Low" Supplies After Only Receiving 25% Of Supplies From Its SNS Request

The New Mexico Governor's Office Sent An Urgent Request To HHS Demanding That The State Receive Its Full Order From The Strategic National Stockpile To Address "Critically Low" Supplies After Only Receiving 25% Of Supplies From Its SNS Request

From: Emory, Christopher, DOH <Christopher.Emory@state.nm.us>

Sent: Monday, March 16, 2020 9:55 PM

To: Kerster, Courtney, GOV <Courtney.Kerster@state.nm.us>

Cc: Kunkel, Kathy, DOH <Kathy.Kunkel@state.nm.us>

Subject: Re: CODEL Letter

This looks good. Please let me know when this is sent I'll need to coincide the letter with a federal SNS request form.

Thanks,
Chris Emory
505-795-3321

Sent from my iPhone

On Mar 16, 2020, at 7:34 PM, Kerster, Courtney, GOV <Courtney.Kerster@state.nm.us> wrote:

Any edits on your end?

Dear X:

We write with an urgent request from the State of New Mexico to fulfil the Governor's request for our state's full allotment of personal protective equipment (PPE) for health care providers.

We understand that New Mexico received 25% of its allotment from the strategic national stockpile yesterday, but supplies of PPE for health care providers in New Mexico are getting critically low.

We strongly urge you to release New Mexico's full allotment of PPE and work with the state to find other sources to help replenish their supplies. We believe this request is consistent with the treatment received by other states and any action you take now will help our state as confirmed coronavirus cases continue to mount.

We appreciate your agency's efforts to date to assist New Mexico during the novel

coronavirus pandemic and we look forward to your prompt action on this request. If you have any questions about this request please do not hesitate to contact us or the New Mexico Department of Health.

Sincerely,

Courtney Kerster
Director of Federal Affairs
Office of Governor Michelle Lujan Grisham
444 North Capitol St NW, Suite 411
Washington DC 20001
Office: 202-624-3667
Cell: 505-690-7964
courtney.kerster@state.nm.us

[[New Mexico Governor's Office, Page 103-4, 3/16/20](#)]

Trump-Favored Florida Had 5,000 Ventilators While Georgia Struggled To Fill An ASAP Order For 20 Ventilators

WHITE HOUSE OFFICIALS HAVE SAID TRUMP IS SENDING EXTRA SUPPLIES TO FLORIDA TO BOLSTER HIS 2020 CHANCES

A White House Official Said That Trump Wants To Ensure That Florida's Economy Can Reopen As Soon As Possible To Help His 2020 Campaign. "One White House official said Trump is attuned to the electoral importance of Florida in November, giving added weight to the arguments DeSantis has made to the administration that his state's economy should reopen as soon as possible. 'The president knows Florida is so important for his reelection, so when DeSantis says that, it means a lot' said the official, who spoke on the condition of anonymity to be frank. 'He pays close attention to what Florida wants.'" [[Washington Post, 3/31/20](#)]

MARCH 17: FEMA TELLS REGIONAL LEADERS ONLY FLORIDA AND GEORGIA ARE RECEIVING SUPPLIES

March 17, 2020: FEMA Tells Regional Leaders Only Florida And Georgia Are "Currently...Receiving Supplies."

Homer and Jared,

We received this from the HHS Task Force. You may have already received this information through your State Public Health. Please see attached of what is being shipped today, currently only FL and GA will be receiving supplies. Also attached is a complete list of what is recommended at each testing site. Please let us know if you have any questions. Thank you!

[[Georgia Department Of Emergency Management, Page 638, 3/17/20](#)]

MARCH 19: GEORGIA IS FORCED TO SEND A SECOND REQUEST FOR 250 VENTILATORS AFTER THE FIRST WAS DELAYED BY AT LEAST TEN DAYS

March 19, 2020: Georgia Sent A Second Request For 250 Vyaire LTV1200 Ventilators Because A March 17 Order Was Put On A "Build Schedule" And Were Told They Would Not Receive Them For At Least Ten Days.

Date: Thursday, March 19, 2020 5:35:14 PM
Attachments: [GA RRF VENTS 3-19-20.pdf](#)

Manny,

Please see the attached RRF. We are requesting 250 Ventilators, specifically the Vyaire LTV1200. Georgia placed an order two days ago for these same ventilators, but unfortunately we were put on a "build schedule." We will receive our first shipment at the earliest in 10 days and only for 1/6 of our order. The Ventilators requested will bridge the gap for Georgia. We requested this specific model because it's a popular model, plus its training materials and consumables are interchangeable with the ones we ordered.

Let us know if you need anything further. Our DPH folks are on this email as well.

Thanks,

Joey Greene
General Counsel
GEMA/Homeland Security

[[Georgia Department Of Emergency Management, Page 652, 3/19/20](#)]

MARCH 22: GEORGIA FOLLOWS UP ON THEIR VENTILATOR REQUEST, IS NOT GIVEN A PROPER UPDATE FROM FEMA...

March 22, 2020: Georgia Followed Up With A Request For Emergency Ventilators, FEMA Sent A Spreadsheet Documenting Shipments That Did Not Mention Ventilators

Date: Sunday, March 22, 2020 11:24:48 AM
Attachments: [image004.png](#)
[image001.png](#)

Understand Bond. The attached RRF are above and beyond what they have sent out as the SNS push. The second of the two RRFs is specifically for ventilators....not listed in the SNS push sheet you sent.

Greg

Gregory W. Koller
Logistics Program Manager

From: Luddeke, R [mailto:R.Luddeke@fema.dhs.gov]
Sent: Sunday, March 22, 2020 11:19 AM
To: Greg Koller
Cc: Hoffacker, Leah; Thomas Moore
Subject: RE: RRF

Has I sent you earlier, We are striving to match up RRFs with HHS's fulfillment process. We know the total sent to each state, but are working to provide a breakdown by RRF. Because HHS has been deploying SNS stock based on Pro Rata, we do not have specific breakdowns by RRF.

[\[Georgia Department Of Emergency Management, Page 451, 3/20/20\]](#)

...AND FEMA SENT A REGIONAL EMAIL SUGGESTING THAT FLORIDA SHARE 20 OF ITS 5,000 VENTILATORS IN INVENTORY—BUT GEORGIA DID NOT RECEIVE A FOLLOWUP

March 22, 2020: FEMA Sent An Email Noting That Georgia Requested An Additional 20 Ventilators, And Florida Was Currently Sitting On A 5,000 Supply; FEMA Suggested Shipping 20 From FL.

Hi Gents,

The Regional Administrator just came to me with a request for GA. It is my understanding that GA needs 20 ventilators as soon as possible.

It was reported that FL has 5K ventilators in inventory. Would it be possible for FL to spot GA the 20 ventilators and we could assist with the transport or whatever it takes to get the 20 critical need filled? In the meantime we will still work the federal system to fulfill all of your request along with the critical 20.

If FL delivers first, FEMA will backfill the twenty to FL for GA or from GA's working RRF request.

Thanks Guys,

Kertz M. Hare, MHRM
Regional Logistics Branch Chief
FEMA RIV

[\[Georgia Department Of Emergency Management, Page 344, 3/20/20\]](#)

A Georgia Official Followed Up With FEMA A Few Hours Later But Did Not Receive An Update.

Kertz,

Have you heard back from Florida?

Gregory W. Koller

Logistics Program Manager

Georgia Emergency Management and Homeland Security Agency

[[Georgia Department Of Emergency Management, Page 344, 3/20/20](#)]

FEMA Told Georgia To Contact The Oregon Health Authority If It Needed More Information On Obtaining Ventilators From The Strategic National Stockpile

FEMA Told Georgia To Contact The Oregon Health Authority If It Needed More Information On Obtaining Ventilators From The Strategic National Stockpile.

Unfortunately, due to national security reasons, we do not publicly release the quantities of SNS products, including ventilators. If your healthcare facility needs supplemental ventilators from the SNS during a public health emergency, you should work through the Oregon Health Authority. State health officials are the ones who can request federal assistance for supplies, including ventilators. We hope this information helps. Please let us know if you have any additional questions.

[[Georgia Department Of Emergency Management, Page 519, 3/19/20](#)]

Amid Massive PPE Shortages, FEMA Sent States CDC Guidance On How To Reuse And Use Respirators Past Their Shelf Life, And What To Do When There Are No Respirators Left

FEBRUARY 7: THE WHO WARNS OF A GLOBAL SHORTAGE OF PPE FOR COMBATTING THE CORONAVIRUS

February 7: The WHO Warns Of A Global Shortage Of PPE For Combatting The Coronavirus. “The fight against the coronavirus epidemic is being hampered by serious global shortages of face masks and protective suits, according to the World [Health](#) Organization’s director general, who said there was “widespread inappropriate use” by those not on the frontline caring for patients.” [[The Guardian, 2/07/20](#)]

MARCH 16: TRUMP CLAIMED THE FEDERAL GOVERNMENT IS DOING EVERYTHING IT CAN TO GET PPE WHERE NEEDED

March 16, 2020: Trump Says The Federal Government Is Doing Everything It Can To Get PPE To The States And Localities Where It Is Needed. “Yeah, well, I think the federal government is doing everything that we can possibly do. We made some very good early decisions by keeping people out, by keeping bor- — countries out — certain countries where the infection was very immense.” [[White House Press Briefing, 3/16/20](#)]

AS EARLY AS MARCH 19 NEWS OUTLETS BEGIN TO RUN STORIES ON HOSPITALS FACING SHORTAGES OF PPE TO FIGHT CORONAVIRUS

New York Times Headline: “‘At War With No Ammo’: Doctors Say Shortage of Protective Gear Is Dire.” [[New York Times, 3/19/20](#)]

NBC News Headline: “‘This System Is Doomed’: Doctors, Nurses Sound Off In NBC News Coronavirus Survey.” [[NBC News, 3/20/20](#)]

MARCH 22: FEMA SENT CDC GUIDELINES TO STATES ADVISING THEM ON HOW TO REUSE RESPIRATORS, USE EXPIRED RESPIRATORS, AND ALLOWS FOR “HOMEMADE MASKS”

March 22, 2020: In The Midst Of Massive Shortages Of PPE, FEMA Sent States Guidance On How Best To Optimize PPE, Including N95 Respirators.

Date: Sunday, March 22, 2020 2:52:09 PM
Attachments: [FDA Hand Sanitizers Immediately in Effect Guidance Other Firms FINAL_0.pdf](#)
[Strategies for Optimizing the Supply of N95 Respirators_COVID-19_CDC.pdf](#)
[Masks - cloth and common fabrics AOH 2010.pdf](#)
[Simple resp mask EID 05-1468.pdf](#)

Please see below and attached. Thank you!

From: Eckes, Jeanne (OS/ASPR/EMMO) <Jeanne.Eckes@hhs.gov>
Sent: Sunday, March 22, 2020 2:44 PM
To: Szczech, Gracia; Toro, Manny J; Samaan, Robert; Gunnin, Stacy
Subject: FW: PPE Manufacturing Expertise and swab sample kits

From: Eckes, Jeanne (OS/ASPR/EMMO) <Jeanne.Eckes@hhs.gov>
Sent: Sunday, March 22, 2020 12:44 PM
To: Eckes, Jeanne (OS/ASPR/EMMO) <Jeanne.Eckes@hhs.gov>
Subject: PPE Manufacturing Expertise and swab sample kits
Importance: High

Here is additional information I just got from CDC regarding PPE. Several more attachments too. I'm sending this to much wider audience.

[[Georgia Department Of Emergency Management, Page 620, 3/22/20](#)]

The Document Included Instructions On How To Use N95 Respirators After Their Shelf Life; “It Is Optimal To Use These Respirations In...Medical Evaluation, Training.”

Use of respirators beyond the manufacturer-designated shelf life for healthcare delivery

Consideration can be made to use N95 respirators beyond the manufacturer-designated shelf life for care of patients with COVID-19, tuberculosis, measles, and varicella. However, respirators beyond the manufacturer-designated shelf life may not perform to the requirements for which they were certified. Over time, components such as the straps and nose bridge material may degrade, which can affect the quality of the fit and seal. Many models found in U.S. stockpiles and stockpiles of healthcare facilities have been found to continue to perform in accordance with NIOSH performance standards. However, fluid resistance and flammability were not assessed. Use of the N95 respirators recommended in [Release of Stockpiled N95 Filtering Facepiece Respirators Beyond the Manufacturer-Designated Shelf Life: Considerations for the COVID-19 Response](#) can be considered. It is optimal to use these respirators in the context of a respiratory protection program that includes medical evaluation, training, and fit testing. If used in healthcare delivery, it is particularly important that HCP perform the expected seal check, prior to entering a patient care area. CDC does not recommend using N95s beyond the manufacturer-designated shelf life in surgical settings.

Use of respirators approved under standards used in other countries that are similar to NIOSH-approved N95 respirators

[[Strategies for Optimizing the Supply of N95 Respirators: Crisis/Alternate Strategies, 3/17/20](#)]

The CDC Suggested That The Hospitals Might Be Forced Re-Use N95 Respirators Due To Shortages Despite The Fact It Might Contribute To The Spread Of COVID-19.

Limited re-use of N95 respirators for COVID-19 patients

Limited re-use of N95 respirators when caring for patients with COVID-19 might become necessary. However, it is unknown what the potential contribution of contact transmission is for SARS-CoV-2, and caution should be used. Re-use should be implemented according to [CDC guidance](#). Re-use has been recommended as an option for conserving respirators during previous respiratory pathogen outbreaks and pandemics. It may also be necessary to re-use N95 respirators when caring for patients with varicella or measles, although contact transmission poses a risk to HCP who implement this practice.

[[Strategies for Optimizing the Supply of N95 Respirators: Crisis/Alternate Strategies, 3/17/20](#)]

The CDC's Guidance Included A Section "When No Respirators Are Left" Which Advised Healthcare Workers To Use "Homemade Masks."

When No Respirators are Left

Administrative Controls

Exclude HCP at higher risk for severe illness from COVID-19 from contact with known or suspected COVID-19 patients

HCP use of non-NIOSH approved masks or homemade masks

In settings where N95 respirators are so limited that routinely practiced standards of care for wearing N95 respirators and equivalent or higher level of protection respirators are no longer possible, and surgical masks are not available, as a last resort, it may be necessary for HCP to use masks that have never been evaluated or approved by NIOSH or homemade masks. It may be considered to use these masks for care of patients with COVID-19, tuberculosis, measles, and varicella. However, caution should be exercised when considering this option.^{1,2}

[[Strategies for Optimizing the Supply of N95 Respirators: Crisis/Alternate Strategies, 3/17/20](#)]

Idaho Attempted To Source 2.5 Million N95 Masks From South Africa—But Failed After The Supplier Said The Nation Would Not Let The Masks Be Shipped After Trump's Statement That The US Would Stop Sending PPE Abroad

April 6, 2020: A Non-Governmental Contractor Named Joshua Tolman Was Set To Deliver 2.5 Million N95 Masks To The State Of Idaho And Claimed They Had “Landed In America” But “The FDA Has Put A Stop On Clearing Any Medical Supplies Into The Country”...

From: Biasco, Lon <Lon.Biasco@fema.dhs.gov>
Sent: Tuesday, April 07, 2020 11:47 AM
To: joshuabtolman@icloud.com
Cc: Richy Brad; Raines, Toney; Smart, John (OGA); FEMA-R10-COVID-19-OSC; O'Hare, Michael; Maykovich, Vincent
Subject: Idaho N95 masks in stuck in South Africa not FDA impoundment

Good morning Joshua,

Thanks for the conversation. To recap, the 2.5M N95 masks are coming out of South Africa. Yesterday South Africa delayed the shipment of outgoing PPE and you had to unload the plane. Today that shipment is being reloaded for movement to U.S. via London to either N.Y. or Cincinnati through DHL. The shipment is expected to arrive Friday or Saturday at one of those locations. At that time, you anticipate that FDA backlog will slow down the critical PPE from reaching Idaho.

I have asked you to identify the airport and provide the tracking number and information so that we can attempt to expedite the FDA inspection. You have agreed to provide that information ASAP.

Please notify all those in the cc line once you have this information so we can work the process. Thank you

Joshua Tolman <joshuabtolman@icloud.com> 208-709-1328
Sent: Monday, April 6, 2020 11:44 AM
To: Arnold Danny <darnold@imd.idaho.gov>
Subject: Re: State of Idaho / Office of Emergency Management

Sorry for the delay. So they have landed in America. I have been on the phone all morning with my clearing agent. The FDA has put a stop on clearing any medical supplies into the country. The fda is changing their process and until it is finalized nothing will get into the country. I don't know what this delay means at this point. I will update you as soon as I have a clearer picture of what is going on.

Thanks Daniel.
Josh

[[Idaho Department Of Health And Human Services, Page 493, 4/07/20](#)]

... But Days After Tolman's April 6th Email, The Purchasing Agent From Idaho Emailed Again Stating “If You Fail To Provide Proof Within 24 Hours From The Time Of This Email, The State Of Idaho Will Be Cancelling The Purchase Order (DS200014) For The Masks And Will Not Be Obligated There-After.”

Mr. Tolman,

There have been repeated attempts to contact you regarding the order of N95 masks in which no reply has been received. Under Idaho Code Section 67-9203 and/or IDAPA 38.05.01.011, I am hereby allowing you 24 hours to respond with proof that you are in possession of or that the masks are on their way.

If you fail to provide proof within 24 hours from the time of this email, the State of Idaho will be cancelling the Purchase order (DS200014) for the masks and will not be obligated there-after.

TSgt. Arnold, Daniel L
State of Idaho Military Div.
Purchasing Agent

[[Idaho Department Of Health And Human Services + Emergency Management, Page 245, 4/13/20](#)]

April 13, 2020: Tolman Finally Replied, Telling The Idaho Purchasing Agent That South Africa Refused To Let The Shipment Bound For The State Out Of The Country Following Trump's Comments That The US Would Stop Sending PPE To Its Allies Abroad.

From: Joshua Tolman
Sent: Monday, April 13, 2020 5:15 PM
To: Arnold Danny
Cc: IOEM - Wallen, Karen ; Hill Jeff ; Jeppesen, Dave
Subject: Re: State of Idaho Military Division Office of Emergency Management [External Email]

Hi Danny-

I have been in contact with the department of health and welfare on this issue. Dave Jeppesen is fully aware of the situation. I'm sorry the information didn't filter down to you. I assumed it would be. I really apologize. The product in South Africa was not allowed out of the country. **In a reaction to President Trump's statement that America would not allow PPE to be shipped from America, the South African government responded in kind. Our masks were a casualty of this policy.** I am sorry that this happened and wish it would have ended differently. Again, I apologize for not keeping you in the loop. I did communicate with Brad and Dave last week. I should have with you as well.

All the best,
Josh

Sent from my iPhone

From: Jeppesen, Dave <Dave.Jeppesen@dhw.idaho.gov>
Sent: Monday, April 13, 2020 7:26 PM
To: Joshua Tolman; Arnold Danny; Richy Brad
Cc: Wallen Karen; Hill Jeff
Subject: RE: State of Idaho Military Division Office of Emergency Management [External Email]

Josh,

Thanks so much for your help to secure these masks. It was unfortunate that our order got caught up in the situation that you described below. Thanks for the text update to Director Richy and I on Friday last week. We know that you did your best and we as disappointed as you were that the situation evolved in such a way that they could not be delivered from South Africa.

Please let us know if you come across any other sourcing opportunities.

dave

Dave Jeppesen
Director
Idaho Department of Health & Welfare

[\[Idaho Department Of Health And Human Services + Emergency Management, Page 241, 4/13/20\]](#)

Colorado Complained About The Use Of The IHME Model Used By The Federal Government To Guide Its Coronavirus Response, Which Led To The Federal Government Commandeering PPE And Ventilator Orders Meant For The State

COLORADO OFFICIALS WERE "EXTREMELY TROUBLED" BY THE WHITE HOUSE'S USE OF THE IHME CORONAVIRUS MODEL WHICH CONSTANTLY UNDERESTIMATED THEIR NEED FOR VENTILATORS AND NUMBER OF FATALITIES

April 2, 2020: A White House Press Conference References They Are Using The "Chris Murray Model" For Predicting Coronavirus Impacts—That Model Is The IHME Model. "You may have heard during a recent White House press briefing about "the Chris Murray Model," a new COVID-19 forecasting model created by Dr. Christopher Murray and researchers in Washington state that predicts the state-by-state impact of the coronavirus pandemic on health systems in the United States. [That model is our model.](#)" [[IHME Press Release, 4/2/2020](#)]

April 6, 2020: Colorado Emergency Management Officials Found The Use Of The IHME's Model "Extremely Troubling," As The Model's Data Far Underestimated State's On The Ground Data—including Assuming That Colorado's Peak Would Use 130 Fewer Ventilators Than They Were "Currently Using" And "Started With Fewer Fatalities Than They Already Had."

email: "Kevin.Klein@state.co.us Klein - CDPS, Kevin" Monday, April 6, 2020 at 9:08:19 AM Mountain Daylight Time
To: email: "lee.depalo@fema.dhs.gov Depalo, Lee"
Cc: email: "mike.willis@state.co.us Mike Willis"

Lee,

Can you confirm if FEMA is using the IHME model the White House referenced to allocate resources? If so, it is extremely troubling. The model is **just wrong**. It projects fewer ventilators being needed than are **already in use** (it says today is our peak and says we need only 120 ventilators, yet we already have 250 additional COVID patients on ventilators) . It started with fewer fatalities than we already had. Finally, the IHME model has an error rate that is wildly large. If FEMA is actually using this flawed model, we should discuss using what our team has developed as a more accurate model for Colorado. Please advise.

Thanks,

Kevin

Kevin R. Klein
Director



COLORADO
Division of Homeland Security
& Emergency Management
Department of Public Safety

[Colorado Emergency Management, Page 389, 4/06/20]

THE IHME MODEL WAS USED TO JUSTIFY THE SEIZURE OF 1 MILLION N95 MASKS AND 200 VENTILATORS BY FEMA—LEADING TO WIDESPREAD FRUSTRATION BY COLORADO OFFICIALS

April 8, 2020: Colorado Emergency Management Director Complains To FEMA That 1 Million N95 Masks And 200 Ventilators The State Was "Counting On" Were "Commandeered" By FEMA And Were The "3rd And 4th Orders Cancelled."

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email: "Kevin.Klein@state.co.us Klein - CDPS, Kevin" Wednesday, April 8, 2020 at 7:30:10 AM Mountain Daylight Time
To: email: "lee.depalo@fema.dhs.gov Depalo, Lee"
Cc: email: "mike.willis@state.co.us Mike Willis" , email: "Conor.McClintock@fema.dhs.gov McClintock, Conor" , email: "Bonnie.Garfias@fema.dhs.gov Garfias, Bonnie" , email: "nancy.dragani@fema.dhs.gov Dragani, Nancy"

Thanks, Lee. Last night we had our order of 1M N95 masks and an order of 200 ventilators both cancelled because "FEMA commandeered" the shipments. We were counting on those. Those are the 3rd and 4th orders cancelled. Can we get together and get clarity on how we are going to be supplied particularly with PPE?

Kevin

Kevin R. Klein
Director



COLORADO
Division of Homeland Security
& Emergency Management
Department of Public Safety

[Colorado Emergency Management, Page 528, 4/08/20]

The Data Provided By FEMA Used To Justify The Commandeering Of The Supplies Utilized The IHME Model (here misspelled as HMIE), Leading To Colorado Health Department Officials To Send Complaints About The Model.

On Wed, Apr 8, 2020 at 7:27 AM Herlihy - CDPHE, Rachel <rachel.herlihy@state.co.us> wrote:

Yes. Samet knows them and will be a respected voice to convey our concerns. He has drafted an email. It should go out today.

On Wed, Apr 8, 2020 at 7:18 AM Klein - CDPS, Kevin <Kevin.Klein@state.co.us> wrote:

We really need to connect with the HMIE folks and get their model updated.

----- Forwarded message -----

From: **Depalo, Lee** <lee.depalo@fema.dhs.gov>
Date: Wed, Apr 8, 2020 at 7:08 AM
Subject: data analytics
To: Klein - CDPS, Kevin <Kevin.Klein@state.co.us>, Mike Willis <mike.willis@state.co.us>
Cc: McClintock, Conor <Conor.McClintock@fema.dhs.gov>, Garfias, Bonnie <Bonnie.Garfias@fema.dhs.gov>, Dragani, Nancy <nancy.dragani@fema.dhs.gov>

Mike/Kevin,

Here is the latest data that is driving the ventilator decision.

[Colorado Emergency Management, Page 529, 4/08/20]

- **April 4, 2020: FEMA Previously Claimed A Low Number Of Cases In Colorado's Region Was Responsible For Colorado's Issues With Ventilators.**

Top States by Confirmed Cases – pandemic is naturally going to follow population density as a general rule. NY State currently lists 92,506 cases, and I used that as "the hot spot" to show comparatively against NY state, the percentage of cases (Ex: CO has comparatively 3.6% of the number of cases NY, falsely assuming the same testing rate, and other 'stuff', is occurring similarly across the board) our states represent:

CO – 15th (3.6%)

UT – 29th (1.2%)

MT – 47th (0.26%)

SD – 49th (0.18%)

ND – 50th (0.17%)

WY – 51st (0.16%)

[Colorado Emergency Management, Page 470, 4/04/20]

A Colorado Emergency Management Official Joked That When He Attempted To Reach Out Directly To The Group Behind The IHME Model Days Before He Was Ignored And Called A "Dumbass Cop."

email: "stan.hilkey@state.co.us Hilkey - CDPS, Stan" Wednesday, April 8, 2020 at 7:58:08 AM Mountain Daylight Time
To: email: "Kevin.Klein@state.co.us Klein - CDPS, Kevin"
Cc: email: "lkaufmann@state.co.us Lisa Kaufmann - GOVOffice"

The email I sent them two days ago bounced back with an auto reply, "Thanks for your feedback, but WTF do you know? You dumbass cop."

Perhaps a different tactic is in order. A very public shaming by the Governor to national media about how their model doesn't match reality would probably be more effective than the doctor to doctor cordial discourse.

[Colorado Emergency Management, Page 539, 4/08/20]

THE IHME MODEL CONTINUES TO BE USED BY THE WHITE HOUSE

May 10, 2020: Axios Reported The White House Is Still Using The IHME Model. "Why it matters: Murray's influential IHME model, which is one of the forecasts used by the White House, has been criticized for frequently revising its projections. Murray said his team is tracking cellphone data and has seen "explosive increases in mobility in a number of states" that will likely translate into more cases and deaths in 10 days." [Axios, 5/10/20]

FEMA Struggled To Communicate To State Governments How The DPA Worked And Effected The Distribution Of PPE

A FEMA Regional Administrator Had To Tell Officials From Several Southern States That The DPA Wasn't For "Seizing PPE Shipments From Legitimate Vendors"—Meanwhile, Several Governors In States With Medical Supply Shortages Had Been "Pleading" With Trump To Invoke The Act

A FEMA REGIONAL ADMINISTRATOR HAD TO TELL SEVERAL OFFICIALS FROM SOUTHERN STATES THAT THE DEFENSE PRODUCTION ACT (DPA) IS NOT BEING USED FOR "SEIZING PPE SHIPMENTS FROM LEGITIMATE VENDORS."

On March 28, 2020, Federal Emergency Management Agency (FEMA) Administrator For Region IV Gracia Szczech Emailed Officials From Multiple States About The Defense Production Act (DPA).

From: [Szczech, Gracia](#)
To: [Hastings, Brian](#); [Moskowitz, Jared](#); [Guthrie, Kevin](#); [Homer Bryson](#); [Dosselt, Michael E \(KyEM\)](#); [Greg Michel](#); [Bryan Olier](#); [Sprayberry, Mike A](#); [Kim Stenson](#); [patrick.sheehan](#)
Cc: [Samaan, Robert](#); [Toro, Manny J](#); [Baker, Stuart](#); [Gunnin, Stacy](#); [Hudak, Mary](#)
Subject: DPA
Date: Saturday, March 28, 2020 9:10:24 PM

State Directors,

I've heard from several of you asking questions regarding the federal government's use of the Defense Production Act (DPA), with two different aspects of the DPA possibly getting blurred together. So to provide some context/background—

[[Georgia Department Of Emergency Management, Page 105, 3/28/20](#)]

- **Szczech Is Responsible For Coordinating FEMA Activities In "Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, And Tennessee."** Gracia Szczech "Coordinates All Activities In Support Of FEMA's Mission With State And Tribal Partners In Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, And Tennessee." "Gracia B. Szczech is the Regional Administrator for the Federal Emergency Management Agency (FEMA) Region IV. Appointed in February 2015, she leads and coordinates all activities in support of FEMA's mission with state and tribal partners in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee." ["[Gracia B. Szczech](#)," Federal Emergency Management Agency, accessed 04/02/20]

Szczech Sought To Answer Questions From "Several" Of The Officials "Regarding The Federal Government's Use Of The Defense Production Act (DPA), With Two Different Aspects Of The DPA Possibly Getting Blurred Together."

State Directors,

I've heard from several of you asking questions regarding the federal government's use of the Defense Production Act (DPA), with two different aspects of the DPA possibly getting blurred together. So to provide some context/background—

The Defense Production Act is a federal law that gives the federal government various authorities to help the nation respond to an emergency. One key part of the DPA allows federal agencies to place "priority ratings" on federal contracts, requiring the vendor to prioritize delivery of scarce commodities (like PPE and medical supplies) to the federal government so that we can in turn re-distribute those commodities to the States. President Trump has invoked the DPA in several recent executive orders to help HHS and FEMA obtain the medical supplies that have become so scarce on the private market, in order to re-distribute the supplies across the nation, including Region IV, where they are most needed.

[[Georgia Department Of Emergency Management, Page 105, 3/28/20](#)]

Szczech Had To Clarify That The DPA Is Not Being Used For "Seizing PPE Shipments From Legitimate Vendors."

Please note that the above are two unrelated issues. I mention this just in case you hear garbled reports about the federal government seizing PPE shipments from legitimate vendors, which is not what is happening. You may hear from vendors that they are prioritizing deliveries to the federal government (topic #1 above), and you may hear about federal agents investigating and possibly seizing critical commodities from bad actors who are hoarding them for price gouging purposes (topic #2 above), but these are two separate, unrelated issues.

Please let me know if you have any questions. Thank you!

[[Georgia Department Of Emergency Management, Page 105, 3/28/20](#)]

MEANWHILE, GOVERNORS IN OTHER STATES WERE "PLEADING" WITH DONALD TRUMP TO INVOKE THE DPA BECAUSE CRITICAL MEDICAL SUPPLIES HAD BEEN "IN SHORT SUPPLY."

"Many Governors" Had Been "Pleading With President Trump To Use His Authority Under The Defense Production Act To Get The Federal Government More Directly Involved In The Buying And Distribution Of Items Like Ventilators And Face Masks — Items That Have Been In Short Supply." "The Trump administration has so far resisted calls to use a Cold War-era law to help fill gaps in medical supplies that are badly needed due to the coronavirus outbreak. Many governors and health officials have been pleading with President Trump to use his authority under the Defense Production Act to get the federal government more directly involved in the buying and distribution of items like ventilators and face masks — items that have been in short supply, with states competing for them." [Ayesha Rascoe, "[Trump Resists Using Wartime Law To Get, Distribute Coronavirus Supplies](#)," *NPR*, 03/25/20]

FEMA Administrators Revealed Due To The DPA And Rampant Subcontracting The Federal Government Effectively Had Priority On All Ventilator Orders In Early April

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COLORADO GOVERNOR POLIS DID AN INTERVIEW CLAIMING FEMA PREEMPTED 500 VENTILATORS THE STATE ORDERED, CAUSING FEMA'S PRESS OFFICE TO ASK THE STATE WHAT HE WAS TALKING ABOUT...

April 6, 2020: FEMA's Press Office Emailed Asking For "Insight" On A Quote CO Gov Polis Made About FEMA Seizing Ventilators Meant For His State, Claiming They Had A Same Day NYT Quote Deadline.

From: Bruner, Alexandria <alexandria.bruner@fema.dhs.gov>

Sent: Monday, April 6, 2020 2:12 PM

To: Greff, Stacie <Stacie.Greff@fema.dhs.gov>; Hvinden, Brian <Brian.Hvinden@fema.dhs.gov>; Kimbrough, Lynn <lynn.kimbrough@fema.dhs.gov>

Cc: Litzow, Elizabeth <elizabeth.litzow@fema.dhs.gov>; Montesi, Janet <janet.montesi@fema.dhs.gov>; Crager, Patricia Lea <Patricia.Crager@fema.dhs.gov>

Subject: FW: NYT Request On Deadline

Can you provide any insight on what Gov. Polis (CO) is talking about here? The NYT has a 5pm EST deadline.

The governor of Colorado says they had a lead on 500 ventilators and they were all "swept up" by FEMA. Does that have to do with the 50/50 breakdown that occurs on planes? What is the explanation for this?

<https://www.facebook.com/CNNReplay/videos/234847950999243/>

There have also been reports of countries abroad losing out on these supplies at the last minute to the federal government. I'm sure there's more context here than these just being "seizures" and I would like to provide the public with clarity since there's a lot of misinformation out there. The more information you can provide on why this is happening, the better.

Alex Bruner

FEMA Headquarters Press Office

[Colorado Emergency Management, Page 41, 4/06/20]

...COLORADO'S EMERGENCY MANAGEMENT AGENCY DIRECTOR ATTACKED FEMA IN RESPONSE, CLAIMING THE SYSTEM FOR ACQUIRING FOR SUPPLIES WAS FAILING THE STATE

April 6, 2020: The Director Of Colorado's Emergency Management Department Claimed That CO Gov Polis Was Told By The CEO Of Zoll That The State's Order For 500 Ventilators Was "Preempted" By FEMA And Lamented The Lack Of Transparency And Communication From The Federal Government, Causing States To Fight For Supplies.

email: "Kevin.Klein@state.co.us Klein - CDPS, Kevin"

Monday, April 6, 2020 at 9:38:18 PM Mountain Daylight Time

To: email: "lee.depalo@fema.dhs.gov Depalo, Lee"

Cc: email: "mike.willis@state.co.us Mike Willis"

Lee,

Lots of questions by our Administration. Attached is a letter about the ventilators. The Governor was on the phone with the CEO of Zoll who told him that FEMA preempted our purchase. Now the NYT is reporting that FEMA has instituted a new scheme where they are taking shipments and deciding on a county by county basis. No transparency. No communication with the states. Kept us out there fighting for supplies. It may have been effective 6 weeks ago, but now? What is really going on?

Kevin

<https://www.nytimes.com/2020/04/06/us/politics/coronavirus-fema-medical-supplies.html>

Kevin R. Klein, Director

Colorado Division of Homeland Security and Emergency Management

[Colorado Emergency Management, Page 44, 4/06/20]

A FEMA REGIONAL ADMINISTRATOR CLAIMED THE ORDER WAS PREEMPTED BECAUSE HE GUESSED THAT COMPANIES WITH FEDERAL DPA MANDATES HAD SUBCONTRACTED EVERY PRODUCER—PREVENTING STATES FROM GETTING PRIORITY ON ANY VENTILATORS WITH PRIVATE SECTOR PRODUCERS

April 7, 2020: Colorado's FEMA Region Director Reached Out To The State's Emergency Management Agency Guessing That All Six Companies The Federal Government Had Arranged DPA Mandates For Ventilators Had "Sub-contracted Anyone They Could Find..."

email: "lee.depalo@fema.dhs.gov Depalo, Lee"
To: email: "Kevin.Klein@state.co.us Klein - CDPS, Kevin"
Cc: email: "mike.willis@state.co.us Mike Willis"

Tuesday, April 7, 2020 at 6:58:57 AM Mountain Daylight Time

Good morning Kevin, I'm resending the email I sent on Saturday because that outlines the ventilator strategy. What I have no explanation for is why a company not on the DPA list says the feds have priority. My guess is the 6 on the DPA list sub-contracted anyone they could find.

I've also included the vent use by state that I sent yesterday (this is being adjusted today so we'll see a new product tomorrow). They will not ship the federally procured vents to sit on a shelf right now. There is too much demand and not enough supply. I've also attached the top county hotspots which I send a few times a week as part of a larger package of data products. It's now too big to get through your firewalls so I'll break out the most important stuff.

I'm happy to set up a call with the national supply task force and the governor or any one he designates to take the call.

[Colorado Emergency Management, Page 55, 4/07/20]

...This Claim Came After The Day Before He Claimed That Any Ventilators Ordered From A Non DPA-Contracted Company Should Not Have Federal Priorities.

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- The president invoked DPA on 2 April for 6 companies to ramp up production. Here is the proclamation:

<https://www.whitehouse.gov/presidential-actions/memorandum-order-defense-production-act-regarding-purchase-ventilators/>

- Not every vent company is included so there is potential within the private sector. Those companies should not be saying the feds have priority.
- There is a national resource prioritization cell that makes the decision by county on where the priority lies.
 - CO has counties on the list but the process just started Friday so only a few in the hottest spots received vents. Production will ramp up with DPA so that will increase the supply
 - The UCG meets to discuss the prioritization and they produce a daily list of summary and conclusions
 - Shipments of vents are prioritized based on this meeting
- We will continue to advocate nationally. I don't have a good picture yet on what the supply increase looks like or on the methodology they are using nationally.

[Colorado Emergency Management, Page 56, 4/07/20]

WASHINGTON POST UNCOVERED THIS CONVERSATION THROUGH FOIAS NEARLY A MONTH LATER BUT THE DEPARTMENT DOWNPLAYED ANY CURRENT ISSUES

April 30, 2020: Washington Post Asked The Colorado Emergency Management About This Email Correspondence On April 30,2020; The Agency Downplayed Any Current Issues.

From: Klein - CDPS, Kevin <Kevin.Klein@state.co.us>

Sent: Thursday, April 30, 2020 1:24 PM

To: Depalo, Lee <lee.depalo@fema.dhs.gov>; Mike Willis <mike.willis@state.co.us>

Subject: Fwd: FW: ACTION: NYT Request On Deadline

I just got a call from the Washington Post where they asked me about this email. They received it through a FOIA request.

[Colorado Emergency Management, Page 98, 4/30/20]

email: "lee.depalo@fema.dhs.gov Depalo, Lee"

Thursday, April 30, 2020 at 1:59:30 PM Mountain Daylight Time

To: email: "Kevin.Klein@state.co.us Klein - CDPS, Kevin" , email: "mike.willis@state.co.us Mike Willis"

Kevin, what angle were they taking on this?

[Colorado Emergency Management, Page 102, 4/30/20]

email: "Kevin.Klein@state.co.us Klein - CDPS, Kevin" Thursday, April 30, 2020 at 8:33:05 PM Mountain Daylight Time
To: email: "lee.depalo@fema.dhs.gov Depalo, Lee"
Cc: email: "mike.willis@state.co.us Mike Willis"

Not really sure. The reporter asked me if I thought it had gotten better and I said it had. I also told him the system is becoming more transparent and reminded him that was almost a month ago.

Kevin

Kevin R. Klein
Director

[Colorado Emergency Management, Page 114, 4/30/20]

Internal Emails From The Iowa Department Of Public Health Show Confusion Around Obtaining PPE And Ventilators After Repeated Federal Seizures, And “Insulting” And Inaccurate FEMA Data

Iowa Officials Were Assured By FEMA Officials Repeatedly That PPE Was Not Being Seized By The Feds Despite Repeated Contradictory Examples

MARCH 2020: IOWA EMERGENCY MANAGEMENT OFFICIALS WERE CONFUSED ABOUT HOW TO OBTAIN VENTILATORS DUE TO “EMAIL TRAFFIC” HINTING THAT FEMA WAS CONTROLLING ALL SHIPMENTS—FEMA ASSURES NOT

March 29, 2020: The Director Of The Iowa Department Of Emergency Management Sent An Email Asking For Clarification About How To Procure Ventilators After “Email Traffic” Suggested All Ventilators Must Be Requested From The Federal Government.

There is email traffic flying around that based on the new GE directive from the President that all ventilators will be requested through FEMA/HHS. Can you advise if that is factual or can we still attempt to procure on our own?

Thanks for any guidance you can provide.

V. Joyce Flinn

Director and Homeland Security Advisor
Iowa Department of Homeland Security and Emergency Management
Office: 515-323-4313

[Iowa Department of Public Health Response, Page 55, 3/29/20]

March 29, 2020: FEMA Was Forced To Clarify That “There Is No Prohibition On States Ordering Anything They Need To Fight COVID.”

On Sun, Mar 29, 2020 at 1:13 PM Taylor, Paul <paul.taylor@fema.dhs.gov> wrote:

Joyce – here's what I know; and adding the other directors, since this will be of common interest.

There is no prohibition on states ordering anything they need to fight COVID. And, as discussed in the past, HHS or FEMA will work out appropriate reimbursement. However, with some critical items, including ventilators, FEMA is closely managing the national supply chain right now, especially since the Defense Production Act was triggered with GE, and other suppliers. So, feel free to pulse suppliers, while also pushing your equipment needs to us here at the RRCC. As we receive requests for ventilators, we're being directed to assess the following:

[Iowa Department of Public Health Response, Page 54, 3/29/20]

APRIL 9, 2020: AN IOWA HOSPITAL NETWORK COMPLAINED THAT SHIPMENTS FOR PPE ITEMS IN “CRITICAL NEED” WERE BEING SEIZED BY FEDERAL OFFICIALS

April 9, 2020: Iowa Hospital Network Unity Point Complained That Shipments For PPE Items In “Critical Need” Were Being Seized By Federal Officials—including Two Shipments Of Critically Needed Iso Gowns.

From: Johnson, Mark A. <Mark.Johnson@unitypoint.org>
Sent: Thursday, April 9, 2020 10:54 AM
To: Rosener, Sabra K. <Sabra.Rosener@unitypoint.org>
Cc: Romanin, Matthew T. <Matthew.Romanin@unitypoint.org>; Osborn, Mary Ann A. <MaryAnn.Osborn@unitypoint.org>
Subject: FW: New Order - UPH - Unsecure
Importance: High

Sabra,

Please read below. This is now the second vendor indicating a large order has been canceled claiming that inventory is being confiscated by governmental officials. Can you find out if this is fact or fiction – ie is the government inserting themselves in the supply chain and confiscating inventory to send to hot spots?

If Fiction – no further ask, I just need to continue to find vendors that can fulfill our needs.

If Fact – Is there anything additional we can do to make sure Iowa continues to have access to critical PPE items? We are following protocol to get supplies through County/State, but the quantities we are getting are nominal. Is there a different process we should be following to reach out to FEMA directly, other than what is already in place through county/state?

We have critical need for isolation gowns (both the two orders we have had canceled were for iso gowns)

[Iowa Department of Public Health Responses, Page 1714, 4/09/20]

- **Unity Point Is A Major Midwestern Hospital Network.** “In 1993, the Iowa Methodist Medical Center, Blank Children's Hospital and Iowa Lutheran Hospital merged to form Iowa Health System. In 2013, the hospital system was renamed UnityPoint Health. Based in West Des Moines, Iowa, UnityPoint Health has become a key healthcare provider in nine major metropolitan areas in the Midwest.” [[Becker's Hospital Review, Accessed 6/09/20](#)]

April 9, 2020: A PPE Distributor Told Unity Point That Its Shipments May Be Confiscated By FEMA

From: Paul palamara [<mailto:palamara@pinnaclemx.com>]
Sent: Thursday, April 9, 2020 9:11 AM
To: Bavas, Nick <Nicholas.Bavas@unitypoint.org>
Cc: Fazal, Adnan A. <Adnan.Fazal@unitypoint.org>; Johnson, Mark A. <Mark.Johnson@unitypoint.org>; Petrovich, Cristina <Cristina.Petrovich@fticonsulting.com>
Subject: RE: New Order - UPH - Unsecure
Importance: High

As you know, the global demand for PPE is unprecedented. Inventory, pricing and lead times have become unpredictable at best.

The United State Government has intervened, appointing **FEMA** as the sole authority over PPE procurement. The agency has begun to seize shipments, reallocating PPE to counties determined to be in the greatest need. Hence, there is a realistic chance that your recent order may not make it to your dock.

April 9, 2020: Unity Point Wanted To Tell The Governor Not Only About The Distributor's Information, But Also About What It Was "Seeing On The Ground" Around Confiscations

[Iowa Department of Public Health Responses, Page 1715, 4/09/20]

From: Vermeer, Kevin E. <Kevin.Vermeer@unitypoint.org>
Sent: Thursday, April 9, 2020 11:19 AM
To: Romanin, Matthew T. <Matthew.Romanin@unitypoint.org>; Williams, David M. <David.Williams@unitypoint.org>; Nizza, Art A. <Arthur.Nizza@UnityPoint.org>; Sheehan, John C. <John.Sheehan@unitypoint.org>
Cc: Rosener, Sabra K. <Sabra.Rosener@unitypoint.org>
Subject: RE: New Order - UPH - Unsecure

I think at the very least we need to make sure that the Governor is well aware of this situation not just in theory but what we are seeing on the ground. Based on what I read (similar to what you attached) it's fact not fiction.

[Iowa Department of Public Health Responses, Page 1673, 4/09/20]

April 9, 2020: Iowa Officials Seemed To Be Unaware Of Such PPE Issues Asking "If Accurate, Do We Know The Extent This Is Happening?"

FYI. Also, if accurate, do we know the extent to which this is happening across all PPE demands?

[Iowa Department of Public Health Responses, Page 1713, 4/09/20]

APRIL 10, 2020: IOWA WAS WAITING RECEIVE PPE FROM CHINA AFTER BEING ASSURED FEMA WAS NOT SEIZING SHIPMENTS—BUT QUICKLY LEARNED OVER HALF OF THE MASK THEY ORDERED WERE ALREADY ELSEWHERE IN THE US

April 10, 2020: The Iowa Emergency Director Told The Governor's Office That FEMA Director Pete Gaynor Assured State Emergency Management Officials That FEMA Was Not "Buying Up All The PPE."

On Fri, Apr 10, 2020 at 2:28 PM Flinn, Joyce <joyce.flinn@iowa.gov> wrote:

Ladies - refer to the email I sent summarizing the call with Pete Gaynor yesterday. According to him, FEMA is not buying up all the PPE.

V. Joyce Flinn
Director and Homeland Security Advisor
Iowa Department of Homeland Security and Emergency Management
Office: 515-323-4313

[Iowa Department of Public Health Responses, Page 1901, 4/10/20]

April 10, 2020: The Iowa Governor's Office Offered To Help The Emergency Management Division Procure PPE Ordered From China After It Assured The Division's Director That The Federal Government Would Not Be Diverting Orders Internationally...

Stephanie

Here's the list. As you know, gowns are in very short supply! Shipping from China. Thanks for any assistance you can provide.

V. Joyce Flinn
Director and Homeland Security Advisor
Iowa Department of Homeland Security and Emergency Management
Office: 515-323-4313

On Fri, Apr 10, 2020 at 1:37 PM Groen, Stephanie <stephanie.groen@iowa.gov> wrote:

It's my understanding that this was happening in the beginning, but the Feds are now stepping out of buying PPE bc Governor's have been complaining about this being an issue. The Feds are still ensuring we can get shipments from other countries by facilitating flights, etc., but they should no longer be purchasing.

[Iowa Department of Public Health Responses, Page 1900, 4/10/20]

April 10, 2020: ...The Same Day The Governor's Office Replied That 350 Of The 600 Cases Of Masks Order Were Already Being Distributed In Other Parts Of US By The Postal Services, Quote "Crazy Times."

Purchasing just sent this. Crazy times:

Supposedly 350 of the 600 cases of masks are already in the US somewhere with UPS.

[Iowa Department of Public Health Responses, Page 1900, 4/10/20]

Iowa Officials Found FEMA Information "Insulting" And "A Bit Confusing"

FEMA REGION VII WAS CHASTISED FOR STATE LEADERS FOR SHARING AN "INSULTING" SLIDE DECK WITH A MALIGNED MODEL

March 26, 2020: FEMA Region VII Sends Modeling Information To State Officials To Assist With Coronavirus Projections.

Jonathan,

Here is some modeling information that may be useful you and you team for planning and projections. It has been cleared for your use at the state level.

Bryon Boka

Federal Emergency Management Agency

Emergency Management Program Specialist

FEMA R7-REC-IA,

11224 Holmes Road

[Iowa Department of Public Health Response Page 10, 3/29/20]

March 26, 2020: An Official From Kansas' Emergency Management Agency Questions The Data Used To Compile The FEMA Model Claiming It Labeled States' Policy Responses Inconsistently.

Bryon:

Thank you for sharing the impact slides with the states. Is this a product that FEMA put together, or is it a product that was mined from an outside source? I'm not for certain of the metrics that went into the statistics that were utilized to build the slide deck, however there appears to be a lack of consistency for how the metric was applied across the states.

1. What was the metric used for the determination social distancing vs. limited action states? It appears like there are some states listed on the map that has done action like Kansas' governor has by issuing an executive order for temporarily prohibiting mass gatherings of 10 or more people to limit the spread of COVID-19; and an executive order that establishes essential functions that are necessary for the connection, distribution, management, and supply of essential services that local governmental units must adhere to when issuing stay at home orders, however they've been deemed as social distancing and Kansas and other Region VII states have all been deemed as limited action states. Based upon the legend I would say that Kansas should be classified as social distancing state. In addition to the executive orders in place, many local jurisdictions across the state have issued voluntary "shelter in place" orders to further prevent the spread of COVID-19.
2. What was the population and percentage metric that was utilized for the population and hospitalization rate for the hospitalization rates over time?

**Jonathan
York**

State Coordinating Officer

State Emergency Operations Center Policy

Kansas Division of Emergency Management

[Iowa Department of Public Health Response, Page 9, 3/29/20]

March 26, 2020: The Deputy Director Of Kansas' Emergency Management Agency Called The FEMA Slides "Insulting."

On Thu, Mar 26, 2020 at 4:12 PM Morgan, Angelynn T (Angee) NFG NG KSARNG (USA) <angelynn.t.morgan.nfg@mail.mil> wrote:

The slides are insulting

Angee

Angee Morgan

Deputy Director

Kansas Division of Emergency Management

[Iowa Department of Public Health Responses, Page 6, 3/29/20]

March 26, 2020: Iowa Department Of Emergency Management Director Said He Is "Disappointed" In FEMA For Sharing The Model, Claims The Model Is Alarmist And Appears To Be Constantly Changing For No Discernable Reason, Says He And The Iowa Department Of Public Health Have Pushed Back On This Model Consistently.

To Morgan, Angelynn T (Angee) NFG NG KSARNG (USA)
Cc Boka, Bryon; York, Jonathan R NFG (USA); Sutlief, Timothy;
joseph.lambert@fda.hhs.gov; Montgomery, Derek S NFG NG KSARNG
(USA); Murdie, Bryan D NFG (USA); Tucking, Devan N NFG NG KSARNG
(USA); Bryan Tuma

Federal partners -

I'm disappointed our Federal partners have latched on to this model and are promoting it as credible to the state in Region VII. We have been fighting this model all week. The previous "Point of No Return" language was alarmist. The information changes every day....based on what? Earlier this week my point of no return was March 27, then April 10, now April 18. I MUST be doing something right, which is interesting since we haven't really changed our recommendations!! Our IDPH partners concur this should not be utilized as a decision making tool.

V. Joyce Flinn
Director and Homeland Security Advisor
Iowa Department of Homeland Security and Emergency Management
Office: 515-323-4313

[Iowa Department of Public Health Responses, Page 6, 3/29/20]

IOWA EMERGENCY MANAGEMENT OFFICIALS DESCRIBED INFORMATION RECEIVED FROM A FEMA CONFERENCE CALL AS "A BIT CONFUSING"

Iowa Emergency Management Officials Described Information Received From A FEMA Conference Call As "A Bit Confusing."

ACCOUNTABLE^{.US}

All - lots of good information received on the call. Some was a bit confusing, but overall good info. If there are others who need this info, please share.

Last evening state EM directors were invited to participate in a call with Pete Gaynor, FEMA Administrator. During that call the following was discussed:

[Iowa Department of Public Health Response, Page 1784, 4/10/20]

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