

United States Senate

WASHINGTON, DC 20510

April 22, 2020

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

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
Washington, D.C. 20515

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

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
Washington, D.C. 20515

Dear Majority Leader McConnell, Minority Leader Schumer, Speaker Pelosi, and Minority Leader McCarthy:

We urge you to include targeted funding and regulatory changes to allow state and local governments to access key federal digital service resources, which can provide critical aid to overburdened states that administer federally funded assistance programs, in any upcoming legislation regarding the COVID-19 pandemic.

The COVID-19 pandemic has overwhelmed state and local government benefits systems due to unprecedented numbers of applications and outdated systems. More than 22 million Americans have filed unemployment claims in the past four weeks alone. News reports abound showing hours-long hold times for Americans seeking assistance with unemployment claims, small business loans and grants, and other emergency programs. These federal programs, which are administered by the states, are of the utmost importance to American workers and businesses. They must be able to serve this skyrocketing need, per Congressional intent in the CARES Act.

Many states manage applications and distribute support using 40-year-old legacy software systems. Only a relatively small number of technical experts have the skills needed to work with these systems to handle the flood of COVID-19 related applicants. For example, the governor of New Jersey recently put out an urgent call for COBOL programmers, a language that was first developed in 1959 and has been considered obsolete for decades. Volunteer and private business efforts around the country have responded quickly and admirably, but more help is required. These complex systems require not only deep technical knowledge but also extensive experience with government software.

Fortunately, a number of resources exist within the federal government that should be extended to help beleaguered states. The United States Digital Service (USDS) within the Office of Management and Budget (OMB), for example, is an agile team of technologists poised to assist

government with complex technical problems. Along with making government services easier to use, USDS has a history of saving taxpayers money by reducing agency costs. The Technology Transformation Service (TTS) within the General Services Administration (GSA) offers digital services and products across the federal government with the mission to transform how the government uses technology. In particular, TTS's in-house consulting office, 18F, often partners with federal agencies to help them build or buy digital services and products.

Unfortunately, both the USDS and the TTS are hindered by regulatory hurdles that slow down or prevent them from supporting state and local governments. For TTS, the current rules require complex Intergovernmental Cooperation Act agreements that often take three to four months to negotiate. In addition, OMB policies prevent states from using the best-in-class digital products developed by TTS without an extensive waiver process. During this national emergency, when speed is vital for millions of Americans, this red tape is preventing the federal government's skilled technologists from helping the state and local agencies that need them most.

In order to allow states and local governments to benefit from the federal government's technical expertise and resources, we request the inclusion of the following in the next COVID-19 legislation.

USDS:

- Provide a \$50 million emergency appropriation to the OMB Information Technology Oversight and Reform (ITOR) Fund for USDS to hire additional skilled technologists who could immediately begin to serve their country.
- Ensure these funds are specifically targeted for USDS support of state and local governments use of technology required to administer federal programs or for federal systems that distribute or facilitate the distribution of direct citizen services.
- Waive or significantly streamline any restrictions on USDS to work with state and local governments.
- Encourage USDS to prioritize COVID-19 related projects, including those with state customers.

TTS:

- Provide a \$25 million emergency appropriation to the Federal Citizen's Services Fund.
- Ensure these funds are specifically appropriated for TTS for support of state and local governments, including use, configuration, and advice on the purchase of technology products and services. This should include cloud service authorizations to enable cloud adoption by state and local governments.
- Waive or significantly streamline any restrictions on TTS to work with state and local governments, including restrictions on funding sources, signatory requirements and acquisition services support through the Intergovernmental Cooperation Act and other related authorizations.
- Waive restrictions on states and local governments from being able to purchase the products created by the federal government.
- Encourage TTS (and GSA as a whole) to prioritize COVID-19 related projects including those with state customers.

States and local governments need help so they can distribute aid to Americans, and the federal government has the resources to provide this support. Thank you for your attention to this important matter, and we stand ready and willing to assist as appropriate.

Sincerely,



Ron Wyden
United States Senator



Sheldon Whitehouse
United States Senator



Kyrsten Sinema
United States Senator



Kirsten Gillibrand
United States Senator



Kamala Harris
United States Senator



Sherrod Brown
United States Senator



Edward J. Markey
United States Senator



Doug Jones
United States Senator



Mazie K. Hirono
United States Senator



Robert Menendez
United States Senator



Mark R. Warner
United States Senator



Jacky Rosen
United States Senator



Cory A. Booker
United States Senator



Richard J Durbin
United States Senator



Gary C. Peters
United States Senator

/s/ Chris Van Hollen

Chris Van Hollen
United States Senator