

United States House of Representatives
Committee on Financial Services
2129 Rayburn House Office Building
Washington, D.C. 20515

November 23, 2020

The Honorable Emily Murphy
Administrator
General Services Administration
1800 F Street, N.W.
Washington D.C., 20405

Administrator Murphy:

I request that you immediately ascertain Joe Biden as the president-elect to ensure that he, Vice President-elect Kamala Harris, and their transition team can take necessary and immediate actions to prepare the incoming administration. Your refusal to date to recognize the results of the election not only flouts America's long history of orderly and peaceful transfers of power, but directly jeopardizes the lives of millions of people across America and our economic recovery. With each day that passes, you are preventing President-elect Joe Biden's transition team from obtaining critical information from government officials. Your failure to promptly resolve this matter may have the following effects:

- **Delay in Extensions of Eviction and Foreclosure Moratoria.** Various eviction and foreclosure moratoria are set to expire by the end of 2020. An estimated 8.4 million renter households, including over 20 million individual renters who are disproportionately persons of color, may be at risk of eviction by January 2021, if no additional action is taken. The transition team will not be able to access the latest U.S. Department of Housing and Urban Development and Centers for Disease Control data on the effects of the pandemic on housing security, delaying all planning for an extension of the moratoria.
- **Delay in mobilizing resources for the production of personal protective equipment (PPE) and other medical supplies.** The transition team will not be privy to the full scope of federal funding provided and other actions taken pursuant to the Defense Production Act of 1950 to produce needed PPE, such as N-95 masks, and other critical medical supplies and equipment. As a result, hospitals, which are already facing severe shortfalls, will be unable to safely address the surge in hospitalizations across the country, the U.S. national stockpile may become exhausted, and the distribution of vaccines and the means to administer them may be delayed. In addition, businesses will be unable to safely bring employees back to work, harming not only the health of workers but our economic recovery.
- **Delay in support for small businesses and state and local governments.** Without access to officials at the U.S. Department of the Treasury, Federal Reserve, and Small Business Administration, the transition team will lack critical information on the ability to use available authorities to provide immediate support to small and medium-sized businesses, non-profit organizations, as well as state, local, tribal and territory governments. The credit outlook in many states and cities remains negative, with various officials expecting to rely on programs like the Municipal Liquidity Facility next year, provided it is available.¹ Additionally, many small businesses are on the brink of permanent closure. According to one survey, 46 percent of Black-owned small

¹ Bloomberg, [Officials Seek Liquidity Facility Extension](#), (Nov. 18, 2020)

The Honorable Emily Murphy

November 23, 2020

Page 2 of 2

businesses will close by April 2021 without additional assistance.² Further delaying the Biden transition team's ability to communicate with the appropriate federal officials will unnecessarily increase the negative impact the COVID-19 pandemic has already had on small businesses and local governments.

- **Hamstring efforts to identify and mitigate threats to financial stability.** The effects of the COVID-19 pandemic on the U.S. and global economy have been profound, resulting in significant stress to the financial system. According to recent reports, potential financial stability risks remain elevated in several areas, including macroeconomic risk, credit risk, market risk, leverage, insolvency and potential contagion, among others.³ The inability for the transition team to engage with officials at the Financial Stability Oversight Council, Office of Financial Research, financial regulators, and other relevant government agencies on these important issues only increases the odds these risks could result in significant harm to the U.S. economy.
- **Increased vulnerability to cyber and other attacks by foreign adversaries.** By preventing President-elect Biden's prompt access to current intelligence on threats that the United States faces and blocking the transition team's access to relevant government agencies, foreign adversaries may seek to exploit this lack of coordination through cyber or other forms of attack. As the 9/11 Commission Report warned, delayed presidential transitions risk disrupting national security and hampering America's ability to respond to persistent threats.⁴ Today, these threats include China's campaign to steal sensitive personal information from millions of Americans.⁵ There could be similar attacks to steal sensitive personal, corporate, and economic data, undermining the functioning of U.S. markets, financial stability, or worse.⁶ It is critical that detailed information sharing and coordination commence immediately to ensure these kind of foreign threats to our economic and national security are mitigated.

These delays are only a small fraction of the government-wide implications of refusing to ascertain the election. Thank you for your immediate consideration of this request.

Sincerely,



MAXINE WATERS
Chairwoman

cc: The Honorable Patrick McHenry, Ranking Member

² Main Street Alliance, [Nearly Half of Black-Owned Small Businesses Closed Permanently Or Will Soon Shutter Due to Insufficient Federal COVID Relief](#) (Oct. 16, 2020)

³ See OFR, [2020 Annual Report to Congress](#) (Nov. 18, 2020); Financial Stability Board (FSB), [FSB acts to address issues highlighted by March market turmoil](#) (Nov. 17, 2020); and Federal Reserve, [Financial Stability Report](#) (Nov. 9, 2020).

⁴ National Commission on Terrorist Attacks Upon the United States, [The 9-11 Commission Report](#) (Jul. 22, 2004).

⁵ Department of Justice, [Chinese Military Personnel Charged with Computer Fraud, Economic Espionage and Wire Fraud for Hacking into Credit Reporting Agency Equifax](#) (Feb. 10, 2020).

⁶ Politico, [Ex-national security officials warn of risks in Biden transition delay](#) (Nov. 12, 2020).