

RICHARD C. SHELBY, ALABAMA, CHAIRMAN

MITCH McCONNELL, KENTUCKY
LAMAR ALEXANDER, TENNESSEE
SUSAN M. COLLINS, MAINE
LISA MURKOWSKI, ALASKA
LINDSEY GRAHAM, SOUTH CAROLINA
ROY BLUNT, MISSOURI
JERRY MORAN, KANSAS
JOHN HOEVEN, NORTH DAKOTA
JOHN BOOZMAN, ARKANSAS
SHELLEY MOORE CAPITO, WEST VIRGINIA
JOHN KENNEDY, LOUISIANA
CINDY HYDE-SMITH, MISSISSIPPI
STEVE DAINES, MONTANA
MARCO RUBIO, FLORIDA
JAMES LANKFORD, OKLAHOMA

PATRICK J. LEAHY, VERMONT
PATTY MURRAY, WASHINGTON
DIANNE FEINSTEIN, CALIFORNIA
RICHARD J. DURBIN, ILLINOIS
JACK REED, RHODE ISLAND
JON TESTER, MONTANA
TOM UDALL, NEW MEXICO
JEANNE SHAHEEN, NEW HAMPSHIRE
JEFF MERKLEY, OREGON
CHRISTOPHER A. COONS, DELAWARE
BRIAN SCHATZ, HAWAII
TAMMY BALDWIN, WISCONSIN
CHRISTOPHER S. MURPHY, CONNECTICUT
JOE MANCHIN, III, WEST VIRGINIA
CHRIS VAN HOLLEN, MARYLAND

SHANNON HUTCHERSON HINNES, STAFF DIRECTOR
CHARLES E. KIEFFER, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-6025

<http://appropriations.senate.gov>

May 28, 2020

The Honorable Mark Esper
Secretary of Defense
The Pentagon
Washington, DC 20301

Dear Secretary Esper:

Two months ago, on March 27, the President signed into law the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020. This law provided \$10.6 billion to the Department of Defense to support the well-being of service members and their families, as well as the civilians and contractors supporting the Department. In addition, the funding provided to the Department also strengthens interagency efforts to address the pandemic in our country and abroad.

According to the latest financial reports provided to Congress, the Department has placed on contract only 23 percent of the funds provided nearly nine weeks ago. Furthermore, the Department of Defense has not yet provided a spend plan that describes how the remaining funds will be used.

We are concerned by the delays in providing this important information, the lack of transparency in the use of emergency funds appropriated to the Department, and troubling signs that funds appropriated for particular purposes, in some cases pursuant to the request of the Department, will instead be spent for other purposes. Lacking a spend plan, we are not even sure what those purposes may be.

For example, Congress provided \$1 billion to the Defense Production Act Title III account. To date, only \$167 million has been obligated to increase the industrial capacity of U.S. manufacturers to produce personal protective equipment and related items. Lacking further information from the Department on its plans for these funds, we are unable to answer simple questions such as whether the U.S. Government is doing everything in its power to address shortfalls in supplies which are not only needed at this moment, but also in preparation for a predicted second wave of coronavirus infections.

In addition, the CARES Act provided \$1.5 billion for deployments of the National Guard in support of State authorities, slightly more than the Administration requested for this purpose in March. After enactment, the Federal Emergency Management Agency (FEMA) assumed responsibility for reimbursing States for these National Guard deployments. This means that funding requested by the Department for a particular purpose, and approved by Congress to address that need, is now not needed by the Department of Defense. We do not understand why the Department requested these funds in the first place if FEMA was expected to pay those costs, nor do we know what they will be used for now.

We urge you to provide Congress and the American public with greater transparency on the use of the \$10.6 billion in taxpayer funds provided to the Department of Defense by releasing your spend plan for the money as soon as possible.

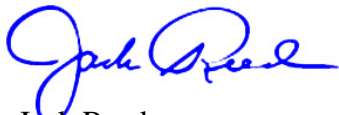
Sincerely,



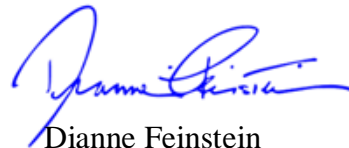
Richard J. Durbin
Vice Chairman
Subcommittee on Defense



Patrick Leahy
Vice Chairman
Committee on Appropriations



Jack Reed
Ranking Member
Committee on Armed Services



Dianne Feinstein
United States Senator



Patty Murray
United States Senator



Jon Tester
United States Senator



Tom Udall
United States Senator



Brian Schatz
United States Senator



Tammy Baldwin
United States Senator