

U.S. Sen. Baldwin, Peters, Colleagues: Urge GSA Administrator to end unprecedented delay & provide critical transition resources to President-Elect Biden

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Delay in Providing Resources to Biden Transition Creates Unacceptable Risks to Pandemic Response & National Security

WASHINGTON, D.C. – U.S. Senator Tammy Baldwin (D-WI) joined Senator Gary Peters (D-MI), Ranking Member of the Homeland Security and Governmental Affairs Committee, and their colleagues in calling on General Services Administration (GSA) Administrator Emily Murphy to end her unprecedented delay, immediately ascertain Vice President Joe Biden as President-Elect and Senator Kamala Harris as Vice President-Elect, and make available the transition resources that are provided by law. This delay creates unacceptable risks to national security and COVID-19 pandemic response efforts as the United States passed more than 250,000 coronavirus-related deaths this week.

“The United States is in the midst of a pandemic that has now claimed over 250,000 lives, with the number of new cases rising daily. Our country also faces a number of ongoing threats, including physical and cyber-attacks from foreign actors, violence from domestic extremists, and natural disasters such as wildfires and hurricanes,” wrote the Senators.

“The GSA Administrator’s ascertainment of a President-elect is also critical for agencies’ willingness to share information with the transition team, including

classified information, as well as for the expeditious processing of security clearances for candidates for high-level national security positions. Your delay in acknowledging Vice President Biden's status as President-elect could undermine efforts by the incoming Administration to meet the needs of the American people in a time of national emergency," **continued the Senators.**

Under the *Presidential Transition Act*, GSA is charged with providing resources and support to the President-Elect and Vice President-Elect so they can be ready to govern from Day One. Administrator Murphy must complete the ascertainment process to allow the President-Elect's transition team to receive needed information from agency officials at public health and national security agencies, ensure incoming national security officials can receive background checks and access to classified information and provide federal funding and resources to support the transition process.

A smooth and efficient transition is one of the hallmarks of American democracy. With the exception of the Presidential election in 2000 and the resulting recount, ascertainment by GSA normally happens within a day after a winner is declared, including in 2008 and 2016. The bipartisan 9/11 Commission found that the shortened transition following the 2000 recount created serious vulnerabilities, including delays related to key national security appointments.

Joining Baldwin and Peters in sending the letter were Senators Patrick Leahy (D-VT), Tom Carper (D-DE), Jack Reed (D-RI), Chuck Schumer (D-NY), Maggie Hassan (D-NH), Jacky Rosen (D-NV), Chris Coons (D-DE), Ed Markey (D-MA), Chris Van Hollen (D-MD), Ron Wyden (D-OR), Tina Smith (D-MN), Sheldon Whitehouse (D-RI), Tom Udall (D-NM), Catherine Cortez Masto (D-NV), Richard Blumenthal (D-CT), Jeff Merkley (D-OR), Debbie Stabenow (D-MI), Amy Klobuchar (D-MN), Bernie Sanders (I-VT), Dianne Feinstein (D-CA), Mazie Hirono (D-HI), Ben Cardin (D-MD), Tim Kaine (D-VA), Jeanne Shaheen (D-NH), Bob Menendez (D-NJ), Cory Booker (D-NJ), Tammy Duckworth (D-IL), Martin Heinrich (D-NM), Sherrod Brown (D-OH), Bob Casey (D-PA), Patty Murray (D-WA), Elizabeth Warren (D-MA), Mark Warner (D-VA), Michael Bennet (D-CO), Dick Durbin (D-IL), Maria Cantwell (D-WA), Jon Tester (D-MT), Kirsten Gillibrand (D-NY) and Doug Jones (D-AL).

The full letter is available below and [here](#). An online version of this release is available [here](#).

Dear Administrator Murphy,

We are writing to express deep concern regarding reports that the General Services Administration (GSA) has delayed providing President-elect Joe Biden and Vice President-elect Kamala Harris with the resources they need to ensure a timely and efficient presidential transition. We urge you to immediately ascertain Vice President Biden as President-elect and Senator Harris as Vice President-elect and allow the transition team to receive the resources required under the law. We also request an urgent briefing on steps GSA is taking to ensure an orderly transition.

The United States is in the midst of a pandemic that has now claimed over 250,000 lives, with the number of new cases rising daily. Our country also faces a number of ongoing threats, including physical and cyber attacks from foreign actors, violence from domestic extremists, and natural disasters such as wildfires and hurricanes. The independent, bipartisan 9/11 Commission cited the shortened transition timeline for then President-elect George W. Bush as a factor in delaying key national security personnel appointments, potentially hampering the new Administration. A timely transition is critical to ensure coordination between the current and incoming Administrations, provide the incoming Administration with the resources they need to immediately address these challenges, and safeguard the public health and our national security.

Under the Presidential Transition Act of 1963, as amended, GSA is charged with providing resources and support to the President-elect and Vice President-elect. Specifically, GSA must provide office space, communication services, funding for transition staff compensation, and other support. In response to a request from the Administration, Congress has appropriated \$9.9 million to GSA for transition related activities. The GSA Administrator's ascertainment of a President-elect is also critical for agencies' willingness to share information with the transition team, including classified information, as well as for the expeditious processing of security clearances for candidates for high-level national security positions. Your delay in acknowledging Vice President Biden's status as President-elect could undermine efforts by the incoming Administration to meet the needs of the American people in a time of national emergency.

This delay is also unprecedented. In both 2008 and 2016, President-elect Barack Obama and President-elect Donald Trump, respectively, were recognized by the GSA Administrator as President-elect within a day of the general election. In 2000, this decision was delayed due to an ongoing court case regarding less than 1,000 votes in a single state—a far closer election than this one. The results of this election are clear. Vice President Biden will be the next President of the United

States, and Senator Harris will be the next Vice President. It is past time to recognize the will of the American people so that the work of government can continue.

The orderly transition of power from one President to another is a bedrock principle of our democracy and one of GSA's most important duties. We urge you to fulfill your responsibilities, ascertain Vice President Biden as President-elect and Senator Harris as Vice President-elect, and provide their transition team with the resources the law requires. We also request that, no later than November 23, 2020, GSA provide a briefing to staff of the Committees on Homeland Security and Governmental Affairs, Appropriations, and Environment and Public Works regarding the presidential transition process and the support that GSA has provided to date.

Thank you for your attention to this critical matter.