August 21, 2020

The Honorable Gerald E. Connolly
Chairman
House Committee on Oversight and Reform
Subcommittee on Government Operations
2157 Rayburn House Office Building
Washington, DC 20515-6143

Dear Chairman Connolly:

Your office requested in a June 15, 2020, letter that the Office of Inspector General (OIG) examine the plans and procedures of the U.S. Department of Commerce (the Department) for returning employees to federal offices in the wake of the coronavirus pandemic. As detailed in our July 15, 2020, initial response to your office, we issued a request for information memorandum to the Department on July 14, 2020, with a 14-day response deadline. We received a response from the Department on July 28, 2020, which we have enclosed with this letter.

In reviewing the Department's response, we believe that our questions were adequately addressed. We have determined that no immediate follow-up action or clarification with the Department is necessary at this time. However, we will continue to monitor the Department's ongoing planning and actions, including monitoring hotline intake, observing Departmental planning meetings, and the regular meetings the Inspector General conducts with the Deputy Secretary of Commerce.

We continue to share your concerns regarding the well-being of federal employees during the pandemic. If you have any questions or would like to discuss these issues in further detail, please do not hesitate to contact me at (202) 482-4661.

Sincerely,

Peggy E. Gustafson
Inspector General

Enclosure

Enclosure.
Response from the Deputy Secretary of Commerce

UNITED STATES DEPARTMENT OF COMMERCE
Deputy Secretary of Commerce
Washington, D.C. 20230

July 28, 2020

MEMORANDUM FOR: Peggy E. Gustafson
Inspector General
Department of Commerce
Office of Inspector General

FROM: Karen Dunn Kelley
Deputy Secretary
Department of Commerce

SUBJECT: Response to Request for Information Pursuant to the
Inspector General Act of 1978, as Amended

In response to the OIG Request for Information dated July 14, 2020 regarding the practices and procedures followed for managing the Department's employees and facilities during the coronavirus pandemic, please find below the following information addressing the specific issues/queries presented:

Baseline metrics used and methodology supporting those metrics to inform decisions regarding office and facility reopening, including the number of employees who contract the coronavirus.

As the Department of Commerce working groups have coordinated agency operations during the coronavirus pandemic, they have been guided by three core principles:

- **Employee-Driven:** The health, safety, and well-being of employees is the top priority of the Department. It is the primary driver for decisions across all of our facilities throughout the country.
- **Geographic:** Re-opening is implemented regionally using an agile framework that reacts to local conditions when and how they change.
- **Bureau-Specific:** Bureaus are empowered to make decisions regarding the re-opening of facilities that reflect their unique missions and the needs of their employees.

Using these guiding principles, baseline metrics and methodologies were developed and are now used to track the number of employees who contract COVID-19. Beginning on March 12, 2020, the Department of Commerce Office of Security, Emergency Operations Center (EOC) began requesting bureau information related to COVID-19 impacts to their people, mission and infrastructure. This provides DOC leadership with a daily operational picture of COVID-19 related impact and activities.

Initial information reported included the number of individuals assigned that are on telework, administrative leave, sick leave and quarantined as a result of COVID-19 along with their geographic location. On April 6, 2020, as more information related to COVID-19 became known and subject matter terms became better defined by the CDC, the EOC clarified COVID-19 reporting categories and established the requirement for the bureaus to assign a case number to aid in the tracking of bureau cases. The clarified categories currently are:

- **COVID Confirmed:** Once a confirmed case is reported it is represented in this category which serves as a total of ALL confirmed COVID-19 cases reported to date.
- **COVID Active**: An individual with a positive COVID-19 test and that is being tracked as an Active case
- **COVID Recovered**: See guidance at https://www.cdc.gov/coronavirus/2019-ncov/hcp/disposition-in-home-patients.html.
- **Symptomatic**: An individual exhibiting symptoms of COVID-19 who will not be tested, is awaiting a test, or has been tested and are awaiting a result.
  NOTE: If an individual has received a positive test result, the case is moved to **"COVID Active."**
- **No Longer Symptomatic**: See guidance at https://www.cdc.gov/coronavirus/2019-ncov/hcp/disposition-in-home-patients.html.
- **Deceased:** Added to the report following the first COVID-19 related death on April 18, 2020.
- **Geographic Location**: This was captured to identify if any DOC facilities had any COVID-19 outbreaks within the workplace.
- **Self-Quarantine:** Self-Quarantine includes staff members that are quarantining after travel or exposure to a known or suspected case. Those designated as Self-Quarantine are not required to have a case number; however, this information is captured as part of daily EOC reporting (information contained in the text of your email, or in a separate spreadsheet,). If the staff member then develops symptoms, or is confirmed to have COVID-19, they should then be counted in one of the four categories above. (NOTE: all personnel listed as **Symptomatic** or **COVID Active** are assumed to be quarantined and are NOT included in the Self-Quarantine count).

When reported, this information is added to the EOC COVID Report that is prepared for the DOC COVID Task Force. As changes in the COVID-19 cases are reported, those changes are reflected in the EOC reports under the appropriate category.

To effectively analyze the information found in key metrics while incorporating the data released at the local and state level, the DOC and its bureaus have utilized a tool developed by the Census Bureau to support partnership efforts for the 2020 Decennial Census. The Census Bureau's visual analytics team developed a dashboard that synthesizes data from publicly available COVID-19 data sources, which has been normalized on key data attributes to develop a national scorecard and enable data-driven decisions. Data sources are currently focused on Public Health,

Emergency Services, Food Industry, Water Supply, Transportation, and Energy. Using this tool, COVID-19 data is curated daily and analyzed to make decisions on moving safely between phases.

The Department has worked with the Census Bureau to utilize this dashboard in order to make informed decisions regarding office and facilities reopening. This is a data driven approach developed from guidance put forward by OPM and OMB. DOC bureaus have been introduced to the tool and are actively engaged in its use. The Department also considers the local government reopening plans/phasing, the local healthcare infrastructure capacity, bureau-specific missions, and employee needs to inform reopening decisions. Decisions are based upon this information in concert with the following three criteria as they relate to a specific location:

1. Downward trajectory of COVID and COVID-like symptoms;
2. Downward trajectory of cases; and
3. Hospital capacity

The Department then cross references mission impact analysis versus risk for reopening or moving to a next phase.

The dashboard data sources (note not all are displayed in the tool) include the following:

✓ JHU COVID-19
  ▪ Case Prevalence
  ▪ Death Rates

✓ COVID Tracking Project
  ▪ Hospitalization
  ▪ Ventilator Utilization

✓ Medical Supplies
  ▪ High Risk Supplies
  ▪ Companies in Supply Chain

✓ CDC
  ▪ State Case Rates & Projections
  ▪ Social Vulnerability Index
  ▪ Adult Smoking Population
  ▪ National Disease Surveillance

✓ WHO Health Indicators

✓ Model Output
  ▪ AFS SEIR-HDV Model
  ▪ AFS Risk Score
  ▪ CDC SEIR Model

✓ Census
  ▪ Population Estimates
  ▪ Demographics

✓ HIFLD (Homeland Infrastructure Foundation-Level Data)
  ▪ Public Health Facilities
  ▪ Public Venues
  ▪ Infrastructure (e.g., Power Plants, Water Supply)
  ▪ Education
  ▪ Transportation

✓ Bureau of Labor Statistics
  ▪ Unemployment
  ▪ Trade Analysis

✓ Social Distancing Analysis
  ▪ Google Collection by County
  ▪ State-Level Announcements
  ▪ Brandwatch Social Listening

✓ CHR (County Health Rankings)

✓ Weather Data

✓ Geolocation based Traffic Data

✓ Dept of Veteran's Affairs
  ▪ Demographics
  ▪ Hospital Facilities

✓ USDA
  ▪ FSA Locations
  ▪ Crop Data

Compliance framework for phased reopening—for example, how the Department will assess adherence to occupancy limits, mask wearing, social distancing, disinfecting, and other measures described in the *Handbook for Reopening the Herbert C. Hoover Building (HCHB)*.

The U.S. Department of Commerce Office of Facilities and Environmental Quality (OFEQ) developed the *Handbook for Reopening the Herbert C. Hoover Building (HCHB)* to provide a resource to DOC employees, managers, contractors, and DOC guests on the best practices and known guidelines for reopening the HCHB. The document is informed by state/local data, and has been distributed to all bureau/office "Points of Contact" as a template for other Commerce facilities to use as a basis for their reopening decisions and actions. Information in the *Handbook* is based on a variety of sources, including the CDC, OSHA, DHS, National Institute of Building Sciences, USDA, Department of Interior, Virginia Department of Health and the private sector.

The *Handbook* is employee-driven. The health, safety and well-being of employees are top priorities for the Department. The goal of the *Handbook* is to provide information to safely occupy the HCHB and all Commerce facilities following all CDC and OSHA guidelines, in order to minimize the transmission of the COVID-19 virus and to maximize employee safety. The *Handbook* is divided into two sections:

1. Details about what is offered in each phase; and
2. Information on provisions, management and responsibilities.

An appendix to the *Handbook* illustrates sample signage that can be displayed in facilities related to social distancing best practices and mask wearing reminders.

To further assist employees' understanding on how to safely navigate within HCHB, a video was developed to remind employees of best practices and requirements for reentering facilities.

- **Occupancy Limits:** The Department of Commerce Office of Security (OSY) gathers daily counts of employees entering HCHB and measures that against the total original population count of the HCHB (counting only those with "an assigned seat" in the building – the guards, cleaning crews and others who "roam" the facility are not included) to determine an occupancy percentage each day. That information is reported daily to the COVID Task Force to ensure the occupancy limits per phase as outlined in the *Handbook* are not exceeded. Additionally, personnel headcounts at all major DOC sites are tabulated daily in the EOC reports.

- **Mask-wearing:** Cloth face masks or coverings that cover the nose and mouth are required to enter all DOC facilities and signage is posted at all HCHB entrances as a reminder. Hygiene centers to distribute hand sanitizer are available at each open HCHB entrance. Additionally, face masks are available for staff or permitted guests who are seeking entry into the building but do not have a mask. Mask wearing is enforced by guards, supervisors and peers. Employees are encouraged to tell their supervisors if someone is not wearing a mask.

- **Social Distancing:** Signage is posted throughout HCHB in lobbies, common areas, elevators, stairwells, pantries and other public spaces reminding employees, contractors and visitors of proper social distancing protocols. Stickers have also been placed on the floor at hallway intersections, elevator lobbies and other common areas of employee ingress/egress to provide a visual of what is accepted as proper social distancing (6 feet).

- **Disinfecting protocols:** The Department follows a cleaning protocol to ensure that high-touch spaces are disinfected daily; this includes break areas, restrooms, stairwell rails, elevator cabs, etc. The HCHB's housekeeping sub-contractor has purchased a dedicated electrostatic sanitization device for the HCHB to improve cleaning efforts. A dedicated Janitorial Project manager also has a disinfecting checklist and spot checks are done routinely by OFEQ staff who monitor the performance of the contract. When an employee has tested positive for COVID-19 and has been in the building within seven days of confirmed diagnosis, OFEQ works with the employee's supervisor to identify the travel path of the employee and perform increased cleaning of the impacted areas.

Actions the Department has taken to ensure employee access to appropriate resources, including reliable coronavirus tests, personal protective equipment, hand sanitizer, soap and warm water, workplace dividers, and disinfectant.

The Department provides a respiratory hygiene center at all open entrances which includes hand sanitizer, face masks and tissues. Face masks are provided as courtesy items if an individual has forgotten to bring their own. Soap and warm water are provided in all restrooms and breakrooms. Again, the Department follows a cleaning protocol to ensure that high-touch spaces are disinfected daily; this includes break areas, restrooms, stairwell rails, elevator cabs, etc. The HCHB's housekeeping subcontractor has purchased a dedicated electrostatic sanitization device for the HCHB.

Department Bureau Procurement Officers (BPOs) are partnering with bureau officials to identify and source supplies and services necessary to respond to the pandemic. The Office of Acquisition Management (OAM) has facilitated sharing of resources and procurement strategies to overcome supply and procurement challenges. OAM has provided specific information and guidance for procurement officials and purchase card holders including strategies for purchasing cleaning supplies and protective equipment as well as potential sources for acquiring those items.

OFEQ is following CDC recommendations for building systems and as a result has increased the daily fresh air flushing sequence of the HVAC by 50% and replaced all air filters. OFEQ is also utilizing UV systems mounted inside the HVAC ducts in the renovated portion of the HCHB to destroy bioaerosols in the air stream and OFEQ is exploring installing a similar system within the unrenovated portion of the HCHB. Plexiglass workplace dividers have been installed in customer-centric areas such as the guard's desks and other customer desks. Additionally, OFEQ is providing plans to all bureau contacts within the HCHB to designate social distancing within open areas and to indicate the number of workspaces that may be used concurrently.

Departmental protocols for when an employee tests positive for coronavirus.

DOC requests that employees who are working within the HCHB, or other facilities, keep a journal of their path to provide to their supervisor should they become ill. If an employee in HCHB tests positive for COVID-19, the supervisor alerts the Bureau point of contact who, in turn, alerts OSY. If the employee was last in the building within seven (7) days, the Bureau alerts all employees in the suite to self-quarantine. OSY and OFEQ lock the door to the suite and OFEQ coordinates an infectious disease cleaning. The suite is typically reopened 24 hours after that cleaning. If the employee has not been in the HCHB within seven (7) days, then special cleaning occurs. HCHB employees are notified if the building is closed for cleaning. OFEQ also coordinates with the Government Services Administration (GSA) as needed to communicate building closures, affirm cleaning protocols and to remain updated on all related processes/procedures as necessary. If a case is confirmed either in HCHB or in another DOC facility, that information, along with the course of action taken, is communicated to the EOC and to members of the DOC Task Force for record keeping and data tracking.

A description of inter-agency and inter-department cooperation—for example, with the CDC and the Occupational Safety and Health Administration to ensure that reopening plans are consistent with public health and worker safety guidelines.

DOC stays abreast of CDC and OSHA communications both within OFEQ and within OHRM. Further, OFEQ regularly meets with GSA to share information and to understand best practices for management across the federal real property spectrum.

The DOC Task Force participates in weekly meetings of the President's Management Council (PMC). The PMC provides updates on topics such as telework, leave policies, employee travel, federal re-openings, and additional discussion on CDC guidance. Additionally, the PMC is a forum for interagency collaboration and discussion on COVID-19 response, and DOC submits weekly reports to the PMC on its own status of facilities.

In formulating agency guidance, DOC regularly consults with federal partners, including OMB and OPM. Additionally, the White House Coronavirus Task Force is regularly notified of agency updates and mass communications.

To understanding the broader, federal and governmental context, the DOC COVID Task Force works on several internal fronts to disseminate and collect information across the bureaus. One example is regular meetings with key bureau Points of Contact, Bureau Leadership, and COVID leadership forums, wherein guidance for gating, phased reopening, cleaning and facilities is discussed with the bureaus and comments are elicited. Similarly, OFEQ separately hosts a tenant council, a real property council, and monthly HCHB renovation meetings where the latest guidance and best practices are discussed.

Through interagency cooperation, bureaus were able to respond to PPE delays early on in the pandemic. For example, NIST was able to provide BIS with 140 pairs of reusable safety glasses and 200 boxes of gloves (10,000 pairs) in April during early national PPE shortages.

Please let me know if you have any questions regarding the responses provided to your request.

Sincerely,

Digitally signed by
Karen Dunn Kelley
Date: 2020.07.28
19:30:23 -04'00'

Karen Dunn Kelley