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March 17, 2020

Acting Commissioner Mark A. Morgan  
Customs and Border Protection  
1300 Pennsylvania NW  
Washington, DC 20004

Dear Acting Commissioner Morgan,

I write to express my concerns regarding the impact of the novel coronavirus 2019 (COVID-19) on border operations at the U.S. – Canada border. Border communities will be severely impacted by a lack of procedure to safeguard public health, while continuing to facilitate trade and travel.

As you know, the Northern Border constitutes the longest land boundary between two countries in the world. At 5,525 miles, approximately 400,000 people and over \$1.6 billion in goods cross the border daily through more than 120 ports of entry. The infrastructure and resources allocated to the US – Canadian border is essential to protecting the dynamic, yet interdependent, economic environments of border communities, as well as the countries broadly.

As we are facing a global pandemic with confirmed COVID-19 cases in at least 110 countries, Customs and Border Protection has an integral role in ensuring public safety. Travel restrictions and more intensive screenings are becoming commonplace in order to slow the transmission of the virus across borders, however CBP officers are increasingly vulnerable to infection as a result. It is unclear if the Department of Homeland Security has implemented protocols for medical screenings of officers who have encountered both asymptomatic and symptomatic cases. It is my understanding that CBP officials are bound by Centers of Disease Control and Prevention (CDC) guidance on contact tracing of travelers meaning that if a patient was asymptomatic when they encountered CBP personnel at the port, CBP will not be notified of an individual's subsequent positive diagnosis. Given their critical role in border management and limited staffing capacity, it is imperative that the Administration properly care for frontline CBP officers at land ports of entry.

In my state of New York, there are 1374 confirmed cases and just across the border in the province of Ontario there are 180 confirmed positive cases and expected to grow. To preserve the health and economic vitality of these communities, CBP must practice efficient border management. There are individuals who must cross the border daily to provide essential services, such as health care, to support these communities in crisis. The Northern Border must continue to maintain adequate staffing levels and implement procedures to carry out all the appropriate

screenings for foreign and U.S. travelers being admitted through a land port of entry without interrupting the flow of essential goods and personnel.

For that reason, I would like answers to the following questions:

1. What are the guidelines that CBP uses for continuity of operations at the border in this type of situation?
2. In the event that continuity plans need to be established, will CBP work with CBSA and other relevant stakeholders to ensure safety and clarity?
3. Will CBP be developing essential status travelers, like community health workers, first responders, to be excepted?
4. What will be the status of trusted traveler programs during such a continuity plan?
5. Given that CBP was previously required to report staffing levels at Northern Border LPOEs per the Emergency Border Supplemental Appropriations for Humanitarian Assistance and Security at the Southern Border Act of 2019, can you provide a report on current staffing levels at Northern Border LPOEs during the COVID-19 national emergency and detail if more personnel and resources are needed?
6. What are you doing to ensure the safety of LPOE frontline workers from transmission risk?

I look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Brian Higgins". The signature is stylized and includes a horizontal line underneath the name.

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BRIAN HIGGINS  
MEMBER OF CONGRESS