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Congress of the United States
House of Representatives

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ADM Brett P. Giroir, M.D.
Assistant Secretary for Health
United States Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, DC 20201

August 3, 2020

Dear ADM Giroir,

Thank you for your participation in the hearing held by the House Select Committee on the Coronavirus Crisis on July 31st titled, “The Urgent Need for a National Plan to Contain the Coronavirus.” I write to follow up issues raised during this hearing and to urge you to establish a nationwide standard for all COVID-19 diagnostic test results to be returned within 72 hours.

During the July 31st hearing, I asked you if it was possible to have results for all COVID-19 tests back in 48 to 72 hours and you replied, “it is not a possible benchmark we can achieve today given the demand and the supply; it is absolutely a benchmark we can achieve moving forward.” You also acknowledged in your verbal testimony that 40 percent of test results take more than three days and 24 percent take more than five days. That means of the 820,000 tests you say are being conducted each day, approximated 328,000 Americans will not get results back within 3 days and nearly 200,000 will not get results within 5 days. During the July 31st hearing, Dr. Anthony Fauci stated in the context of contract tracing that, “it is an issue if you cannot get [test results] within a 24 to 48 hours period.”

If 72 hours is a benchmark we can absolutely achieve, we must do everything we can to achieve that goal. I refuse to believe that our nation, the richest and most powerful country in the world, does not have the capabilities to achieve this standard immediately.

While we have increased the number of overall COVID-19 diagnostic tests in our nation, that increase has come at the expense of the timely return of results. That is not the progress we need. Months into this crisis, we still experience lengthy delays in turnaround times for test results, largely caused by supply shortages coupled with accelerating demand for tests. Although diagnostic test results can be returned in a matter of hours, multiple reports, including those from individuals in my home district, cite that tests can have up to a ten day wait time for results. As you know, testing backlogs and delays complicate tracing and isolation efforts, which decrease the likelihood of containing the spread of the virus.

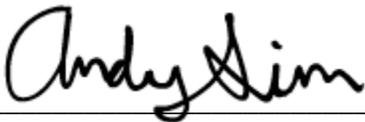
Due to an absence of adequate federal intervention and support, labs across the country have been forced to create patchwork solutions to overcome shortages in every step of the supply chain. Many experts worry that pressure has continued to mount on our nation's current testing system, especially considering the emergence of large numbers of new cases in various regions across the country. Without a change of course and a continued absence of a comprehensive federal plan, demand may continue to far outpace supply, which could have devastating consequences on not only the health, but also the economic and social well-being, of the American people.

While these questions have also been submitted for the record, I respectfully request that you respond to the following questions directly to my office by August 17, 2020:

- Will you commit to implementing a national goal for all test results to be returned within 72 hours, and committing the necessary resources to make that an achievable national standard as soon as possible? When exactly do you think we could achieve this benchmark? What do you need from Congress in order to achieve this?
- Are all labs that are authorized to conduct COVID-19 diagnostic testing, including commercial, VA, and academic labs, being utilized at full capacity?
- How has the FDA prioritized the consideration of authorizations for new varieties of rapid simple at-home diagnostic COVID-19 tests like test strips?
- How has the FDA prioritized the consideration of authorizations for the approval of rapid antigen tests?
- Does the administration have a plan to work with private companies to widely deploy new cheaper diagnostic tests that are deemed safe and accurate by the FDA?
- What specific steps have you taken to bolster the testing supply chain? What steps do you plan to take to improve ongoing supply chain issues?

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Andy Kim". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Andy Kim
Member of Congress