



November 10, 2020

The Honorable Emily W. Murphy
Administrator
General Services Administration
1800 F Street, NW
Washington, DC 20405

Dear Administrator Murphy:

We write today to express concern regarding your decision to withhold proper ascertainment of Joe Biden and Kamala Harris as the President-elect and Vice President-elect and request your immediate action to begin the official post-election transition process so that the incoming administration may utilize all available resources and funding.

In accordance with the Presidential Transition Act of 1963 (3 U.S.C. § 102), as amended, the General Services Administration (GSA) Administrator is authorized to provide the President-elect and the Vice President-elect with a variety of services supporting the transition into their new official capacities. In addition, the GSA Administrator is responsible for ascertaining the winner of the general election to make those post-election services available to the non-incumbent President-elect and Vice President-elect and their incoming staff. As such, GSA requested a budget allocation of \$9,900,000 for transition-related activities in the Fiscal Year (FY) 2021 budget request, of which \$6,300,000 is for an incoming administration. Without a determination by the GSA Administrator, President-elect Biden and Vice President-elect Harris and their staff are unable to maintain official office space within federal agencies, acquire government computer systems, or receive additional administrative services and funding to support the post-election transition into their new official capacities.

In previous election years, GSA has provided ascertainment almost immediately after the general election has been independently called. Any delay or inaction by your office may lead to the first transition delay in modern history save for when the Supreme Court settled the 2000 election recount dispute between Al Gore and George W. Bush.

Moreover, an orderly and peaceful transition process is critical as the country continues to grapple with the loss and far-reaching impacts brought on by the COVID-19 pandemic. We therefore urge the Administration to immediately ascertain and begin the post-election transition process, ensuring there is no disruption of government services that impede the incoming administration from immediately executing a comprehensive strategy to address the COVID-19 pandemic on January 20, 2020.

We appreciate your full attention to this matter and look forward to your response.

Sincerely,



Mark R. Warner
United States Senator



Tim Kaine
United States Senator