



## CONGRESSIONAL HISPANIC CAUCUS

*Joaquin Castro* | *Chairman*

116<sup>TH</sup> CONGRESS

March 31, 2020

The Honorable Sonny Perdue  
Secretary  
U.S. Department of Agriculture  
1400 Independence Avenue, N.W.  
Washington, D.C. 20250

The Honorable Eugene Scalia  
Secretary  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington DC 20210

The Honorable Chad F. Wolf  
Acting Secretary  
U.S. Department of Homeland Security  
301 7<sup>th</sup> Street, SW  
Washington, DC 20528

The Honorable Alex Azar  
Secretary  
U.S. Department of Health & Human Services  
Mary E. Switzer Building  
330 C Street SW Room 5123  
Washington, DC 20201

The Honorable Michael R. Pompeo  
Secretary of State  
U.S. Department of State  
2201 C Street NW  
Washington, DC 20520

The Honorable Robert R. Redfield, MD  
Director  
Centers for Disease Control and Prevention  
1600 Clifton Road  
Atlanta, GA

The Honorable Betsy DeVos  
Secretary  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202

Dear Secretaries Perdue, Scalia, DeVos, Azar, Wolf, Pompeo and Director Redfield,

We write to you during this national pandemic that is threatening public health and causing an economic crisis. So far, the United States (U.S.) has over 100,000 cases of the novel coronavirus (COVID-19) nationwide and over 3,000 deaths related to the virus. Despite efforts to curb the spread of the virus, U.S. government officials are estimating that 200,000 people could die from COVID-19. In these uncertain times, we urge the Administration to take necessary measures to protect farmworkers and their families. In addition, we urge you to issue guidance to agricultural

employers so they have the necessary information and resources to help protect and support farmworkers and their families.

Throughout this public health crisis, there has not been a day when farmworkers have stopped showing up to work. Their work ethic and commitment keep food in our grocery stores and fill America's tables. As you know, farmworkers have been deemed essential during this public health crisis, and, as such, they have been asked to continue working. Although they help feed the nation, the mean and median income of a farmworker family are \$20,000 and \$24,999, respectively. Despite their low wages, many won't be able to receive the direct cash assistance headed to millions of U.S. households. Many of these essential workers lack critical benefits. Our country depends on their valuable work. During this national emergency, protecting farmworkers and their families is a matter of national security since this workforce is the backbone of the country's food supply. We urge you to take all necessary actions to protect farmworkers and request answers to the questions listed below.

### **Legalization and Immigration Enforcement**

In bipartisan fashion and recognizing the importance of farmworkers to our food security, farmworkers, agricultural employers, and the House of Representative came together to pass the Farm Workforce Modernization Act of 2019 (H.R. 5038). The bill offers a path to legalization for our nation's farmworkers, while reforming the H-2A temporary agricultural worker program. Given the essential nature of farm work, the current pandemic underscores the urgency to normalize the status of those on the front lines of ensuring the nation's food security.

- Until H.R. 5038 or other legislation is enacted, will the Administration commit to focus its immigration enforcement on public safety risks and cease such enforcement in or around agricultural worksites, agricultural communities, farmworker housing, and the transportation routes used by farmworkers?

### **Housing and Transportation**

- Is the Administration providing guidance to agricultural employers on how the funding provided by federal legislation in response to COVID-19 can be used to prevent the transmission of COVID-19 in employer-provided housing and transportation?
- Is the Administration providing guidance to employers on how to develop housing plans to prevent the transmission of COVID-19 in the workplace? Such steps should include: ensuring farmworker housing has adequate ventilation; providing sufficient sanitation supplies, including soap, water, and paper towels necessary for hand washing (specifically for kitchens, bathrooms, and sleeping spaces); and spacing beds so that they are at least six feet apart.
- It is possible that the need for additional housing or transportation could be challenging for some growers. Is the Administration providing employers with additional funding to help them supplement housing and transportation required to comply with the federal government's social distancing and quarantine guidelines?
- Is the Administration providing guidance to employers on how to properly disinfect housing, including all shared bathroom, bathing, and cooking facilities, when individuals test positive for, or are suspected of having, COVID-19?
- Is the Administration communicating with employers about designating quarantine living facilities in case of a COVID-19 outbreak?

- What, if any measures, is the Administration taking to ensure that workers are provided housing during the time that they are forced to self-isolate or quarantine if they are traveling from a state that is deemed an epicenter?
- Has the Administration warned employers against evicting farmworkers without prior review and approval of the relevant State department of health and, for H-2A workers, without written notification provided to the appropriate Consulate?
- Is the Administration providing guidance to employers on how to provide transportation that follows CDC recommendations and allows adequate space between workers?
- Is the Administration providing clear guidance to employers on how to disinfect vehicles after each ride and ensure there are sanitation supplies, such as hand sanitizer, on vehicles?
- Is the Administration taking measures to ensure that housing investigations and enforcement occur in labor camps, in compliance with the OSHA Housing Standards for agricultural labor camps? And are additional requirements being contemplated to comply with the guidance from the CDC?

## **Health**

- Is the Administration requiring employers to post CDC recommendations on how to help prevent the transmission of COVID-19 in appropriate languages where workers will routinely see the information?
- Is the Administration providing guidance to agricultural employers regarding how the \$9.5 billion in the CARES Act can be used to prevent the spread of COVID-19 in the agricultural sector and ensure our food security, including by improving the transportation, living, and working conditions of farm workers, and providing economic support to help farm working families meet their basic needs, including through hazard pay?
- Is the Administration requiring employers to provide at least one hand-washing station with clean water, soap, and paper towels for every 10 workers as well as giving farmworkers adequate time to wash their hands, including enough time to walk to and from the stations, without retaliation?
- We are aware that there is a shortage of Personal Protective Equipment (PPE) (such as masks and respirators) due to the COVID-19 pandemic. Is the Administration working with employers to ensure that farmworkers have adequate access to PPE to do their jobs safely? Of concern are farmworkers who handle pesticides, as they regularly deal with toxic chemicals, including potentially deadly Restricted Use Pesticides (RUPs). Also, of great concern are farmworkers who work during wildfires and must use respirators to protect themselves from the smoke and other harmful particulate matter.
- Where can farmworkers, including H-2A temporary workers, turn to ask questions about or report unsafe conditions related to the pandemic that they might observe in their employment, housing, or transportation?
- What guidance or support is being offered to help visa-contingent workers currently in the United States with virus prevention, testing, and treatment?
- Is the Administration adding more resources to ensure enforcement of the Field Sanitation Standards?
- What support is being provided to any H-2A temporary workers who present with symptoms of COVID-19 at or upon entry to the United States at a US port of entry?

## Education

- Is the Administration working to provide additional support and resources for the education of farmworker children, including migrant and seasonal farmworker families?
- While school closures are affecting the ability of low-income students to access regular meals at school, because they work all day, farmworkers are facing a limited supply of food for their families by the time they are able to get to grocery stores. What is the Administration doing to support the nutrition and food security of farmworkers families, including migrant and seasonal farmworkers?
- Many childcare facilities are struggling to stay open as more families are keeping their children home, what is the Administration doing to ensure agricultural workers have access to child care for their children?
- What, if any, enforcement measures will be taken to ensure that farmworker children under the age of 12 are not employed to work in the agricultural fields

Farmworkers provide an invaluable and irreplaceable service to our communities, even to the detriment of their health. It is critical that we work together to address any ongoing and emerging needs in farmworker communities. In order to safeguard the health of our communities and the security of our entire food supply, we cannot leave farmworkers behind as we combat the COVID-19 crisis.

Sincerely,

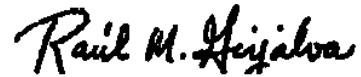


**JOAQUIN CASTRO**

Joaquin Castro  
Chairman  
Congressional Hispanic Caucus



Linda T. Sanchez  
Chairwoman  
Congressional Hispanic Caucus  
Immigration and Border Issues Task Force



Raúl M. Grijalva  
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