

Congress of the United States
Washington, DC 20515

May 8, 2020

The Honorable Nancy Pelosi
Speaker of the House
HC-5, The Capitol
Washington, D.C. 20515

Dear Speaker Pelosi,

The Chairs of the Congressional Asian Pacific American Caucus (CAPAC), the Congressional Black Caucus (CBC), and the Congressional Hispanic Caucus (CHC)—also known as the Congressional Tri-Caucus—and Leadership Representatives from the Congressional Native American Caucus write to you as Congress develops the next round of COVID-19 relief to amplify the current challenges that our communities are facing, and the dire need for policy to address these needs.

The COVID-19 pandemic has completely upended the way in which our country operates. And for many across the constituencies we represent, this public health and economic crisis is exacerbating underlying and chronic inequality across our economy and public health and education systems. The terrible irony is that those from our communities are often more likely to live with chronic health conditions like heart disease, lung disease, and diabetes that make them more vulnerable to either contracting this virus or to experiencing worse health outcomes. At the same time, they are also the same workers unable to work remotely because their jobs—as health care professionals, agricultural and farmworkers, grocery store employees, childcare providers, family caregivers and janitorial staff—are all essential to keeping America moving.

COVID-19 is shining a bright spotlight on the generations worth of unequal education and public health funding that contribute to this negative feedback loop. Yet despite this, the most vulnerable among us, including but not limited to the immigrant community, those held in detention, as well as the incarcerated population, are being forgotten.

The Great Recession decimated our communities state-side and left those in American territories in Puerto Rico, Guam, the Northern Mariana Islands, American Samoa and the U.S. Virgin Islands behind. The Great Recession stripped them of personal and generational wealth setting our families years behind in economic equity, educational attainment, and more. As such, we respectfully request that you consider the following topline priorities to ensure that this history does not repeat itself. We must ensure that policy is crafted with the needs of the most vulnerable top of mind and is set up to effectively reach the historically underserved across our communities and include the United States Territories.

Protections for Our Workers and Families

- **Provide additional rounds of direct cash assistance and financial support for individuals and families** regardless of immigration status on a reoccurring basis for as long as the pandemic lasts. The definition of an eligible dependent for Recovery Rebates must

also be changed to include children younger than 19 years, students 24 and younger, and eliminate the age limits for dependents with disabilities;

- **Provide funding for additional Personal Protective Equipment for all essential workers** including but not limited to health care professionals, farmworkers, agricultural industry employees, grocery store employees, transportation workers, United States Postal Service (USPS) workers, childcare providers, janitorial and custodial staff, and others;
- **Strengthen the Occupational Safety and Health Administration's (OSHA) protections for all essential workers** by mandating that OSHA issue an Emergency Temporary Standard immediately to protect all high-risk workers from exposure to COVID-19;
- **Guarantee hazard pay and other support for essential workers** including paid family and medical leave, childcare coverage, protections from deportation and automatic extension of employment authorization documents, and other benefits;
- **Expand eligibility for paid leave** to ensure gig workers and employees at businesses of all sizes have access to worker protections like paid leave;
- **Expand social safety net programs** by expanding the Earned Income Tax Credit (EITC), the Child Tax Credit (CTC), Supplemental Nutrition Assistance Program (SNAP) and waiving all Temporary Assistance for Needy Families (TANF) work requirements;
- **Establish an Emergency Assistance Fund** to provide basic income assistance and emergency aid to families and individuals facing severe economic hardship regardless of immigration status.

Support Our Economy

- **Allocate additional funding for the Coronavirus Relief Fund (CRF)** for State, Tribal, Local governments, and U.S. Territories, and authorize the flexibility necessary to use funding for lost revenues and to be used retroactively;
- **Expand eligibility to the CRF by providing funding for** localities with populations under 500,000 residents;
- **Require additional accountability and transparency for Exchange Stabilization Fund relief recipients.** As businesses evaluate budget cuts, Members believe that diversity is our strength and programs that foster diversity and inclusion must not be reduced. As such we urge continued transparency on the diversity of their executive leadership, corporate boards, and of their employees broken down in a disaggregated manner by race, ethnicity, and gender;
- **Ensure all COVID-19 resources are accessible to Limited English Proficient individuals and provide funding to federal agencies for the cost of translating** COVID-19 materials intended for the general public, including websites, in-language hotlines, outreach materials, and forms related to accessing these resources;
- **Continue to prohibit credit reporting agencies from reporting adverse credit scores for the remainder of the COVID-19 pandemic** as our communities suffer from layoffs, higher unemployment rates, and continue to bear the economic brunt of this pandemic;
- **Prioritize minority press including ethnic and local media outlets** for U.S. government advertising contracts to ensure timely and critical information reaches our communities through trusted community outlets and in their preferred language.

Relief for Small Businesses

- **Build on the Small Business Administration’s (SBA) Paycheck Protection Program (PPP), and Economic Injury Disaster Loan (EIDL) and EIDL Grants.** Forthcoming legislation must include additional funding for PPP and language to ensure relief reaches all minority and underserved businesses by providing in-language resources and prioritizing relief for those in our communities, including a dedicated set aside for businesses with 25 employees or less;
- **Increased transparency for PPP** by requiring that the SBA report on the demographics of approved applications in a disaggregated manner by the race, ethnicity, and geographic region of the approved applicants;
- **Ensure robust funding and relief for non-profits who are providing essential services,** especially to the most vulnerable in our communities such as the undocumented, the incarcerated, and the detained;
- **Urge the Federal Reserve to provide updated clarity and guidance on the non-profit facility it is developing for non-profit organizations to participate in the Main Street Lending Program** established under the CARES Act;
- **Require the SBA and Treasury Department deliver clearer guidance** on the program requirements and implementation of PPP and next steps as businesses continue to access PPP loans and work to become eligible for loan forgiveness under the program. All resources and guidance must be made available to the public in a variety of languages to reach non-English speaking business owners;
- **Include statutory fix needed to clarify congressional intent regarding the eligibility of the prior \$8 billion tribal set-aside for “tribal governments” within Title V.** A new Title VI, Sec. 601 must be added to make clear congressional intent to provide relief of tribal governments not tribal corporations or other non-governmental entities;
- **Authorize additional funding and set asides for community-based lenders like Community Development Financial Institutions (CDFIs) and minority depository institutions (MDIs)** best positioned to deliver relief to our communities, including lenders who have assets under \$1 billion;
- **Provide additional funding for the Minority Business Development Agency (MBDA)** for the agency to continue to provide counseling support to businesses owned by minorities, women, veterans, businesses in rural communities, and those who serve underserved communities as they navigate this crisis;
- **Lower interest rates on SBA Loans related to COVID-19.**

Access to Health Care Services

- **Ensure free coverage of COVID-19 testing and treatment to everyone, regardless of immigration status or geographical location,** by categorizing COVID-19 testing and treatment under Medicaid as an emergency medical condition. Establish a special enrollment period for COVID-19 and for any public health emergency declaration. Ensure parity for U.S. territories under any legislation signed into law and defend Medicaid against efforts to weaken “maintenance of effort” (MOE) protections during the pandemic;
- **There should be a targeted comprehensive intervention in communities where there is a disproportionate infection and death rate.** The intervention should consist of focused targeted voluntary testing in the neighborhoods where the infection rate is higher than the population. Targeted comprehensive intervention includes rapid results testing, early

treatment and intervention and contact tracing. Contract tracers should be hired and trained from the community. This approach must be culturally sensitive and include partnership with trusted community partners to ensure a targeted intervention model that is mindful of immigration concerns and other common sensitivities in our communities;

- **Increase Transparency through COVID-19 Data on Racial and Ethnic Minority Groups.** Require the Department of Health and Human Services (HHS) in coordination with the Centers for Disease Control and Prevention (CDC) to track and report on COVID-19 cases, testing, treatment hospitalizations, deaths, and recovery rates in a disaggregated manner by demographic categories including race, ethnicity, geographic region, gender, and other relevant data;
- **Provide additional funding for hospitals and providers that provide critical care to our most vulnerable communities.** Authorize additional funding for Community Health Centers, Indian Health Services (IHS), Indian Health Organizations (UIHOs) and Tribally Operated Facilities, Native Hawaiian Health Centers, the Public Health and Social Services Emergency Fund (PHSSEF), and to support telehealth services. Ensure that there is an available and accessible funding mechanism for non-profit health providers with more than 500 employees, such as some Community Health Centers;
- **Additional funding for Personal Protective Equipment (PPE) and widespread testing and contact tracing.** Direct the production and procurement of urgently needed resources to combat COVID-19 under the Defense Production Act;
- **Prioritize releasing incarcerated individuals** in prisons, jails, and detention centers who are a low-risk threat to the community, but whom COVID-19 is a high-risk threat. Waive Section 1905(a)(A) of the Social Security Act (the inmate elusion provision) on an emergency basis until at least six months after the COVID-19 crisis is over;
- **Additional relief and financial support for mental and behavioral health services.** Robust funding to support students, teachers in K-12 and higher education, health care workers, essential workers, and others. Including, but not limited to, the National Suicide Prevention Hotline, the National Child Traumatic Stress Network, youth suicide initiatives, and veteran programs;
- **Provide additional funding to increase broadband access to support health care providers** as they provide distance health care services.

Support Our Students

- **Guarantee that all Education Stabilization Funds be made available to all students, regardless of immigration status;**
- **Increase funding for the Education Stabilization Fund in the CARES Act for both K-12 and higher education** and require that funds allocated for K-12 are used to maintain pre-COVID-19 payroll of teaching and support staff to ensure educational continuity for students;
- **Authorize additional funding to increase broadband access in low-income and rural communities, and tribal lands, and provide additional funding to support school districts and institutions of higher education as they shift to Distance Learning** to cover technology costs and to prevent our students from falling behind;
- **Provide increased funding for ESEA Title III** to support English Language Learners;
- **Ensure funding parity for IDEA** to support students across all communities including those in low-income and rural communities, and those in the U.S. territories;

- **Authorize additional funding for Minority Serving Institutions (MSIs)** including Historically Black Colleges and Universities (HBCUs), Asian American and Native American Pacific Islander-Serving Institutions (AANAPISIs), Hispanic Serving Institutions (HSIs), and Tribal Colleges and Universities (TCUs);
- **Provide significant funding for the Federal TRIO Programs to provide more college access and support services to additional first-generation, low-income students, students with disabilities, and unemployed adults and veterans.** TRIO currently serves 66% students of color, who already face significant barriers to accessing and completing college.

Housing

- **Mandate national rent, utility shutoffs, evictions, and foreclosure moratorium** to provide relief to individuals and families suffering from reductions in their take home incomes. This moratorium must also be applicable to those in public housing;
- **Guarantee that the most vulnerable among us have access to safe public housing by authorizing additional funding for Fair Housing Enforcement and the Department of Housing and Urban Development’s (HUD) Office of Fair Housing and Equal Opportunity (FHEO).** These funds will help ensure domestic abuse survivors, the immigrant and undocumented community, the formerly incarcerated, and those living in rural communities all have access to in-language services;
- **Authorize additional funding for HUD’s housing assistance programs** including but not limited to Housing Counseling Assistance Program, Emergency Solutions Grants, Housing Choice Voucher Program, Disaster Housing Assistance Program, Community Development Block Grant, and the Neighborhood Stabilization Program;
- **Ensure additional public housing relief to all 50 states, U.S. territories, and Tribal Communities.**

Strengthen Protections for Civil Rights

- **Authorize additional funding to strengthen election access and accessibility** to guarantee safe and secure access to the ballot box amid the pandemic;
- **Urge increased transparency from the United States Census Bureau and authorize additional resources and funding** to fund continued operations and to guarantee an accurate count in the 2020 Census, including historically hard-to-count communities.

Legislative Text that Address Our Concerns

H.R. 6637, HEAA, Health Equity and Accountability Act, to improve the health of minority individuals and other purposes.

H.R. 5038, the Farm Workforce Modernization Act, to provide a pathway to lawful permanent residency for undocumented farmworkers and their family members.

H.R. 865, Rebuild America’s Schools Act, to fund improvements to public school facilities and infrastructure with an accelerated timeline for completion within the next five years.

H.R. 6, the American Dream and Promise Act, to create an earned pathway to citizenship for Deferred Action for Childhood Arrivals (DACA) recipients, Temporary Protected Status (TPS) holders, and Deferred Enforced Departure (DED) recipients.

H.R. 1900, the Native American Business Incubators Program Act, to authorize funding to strengthen federal offices and programs to target economic recovery in Indian Country.

H.R. 6274, the CDC Tribal Public Health Security and Preparedness Act, to allow tribes to be eligible to apply for the CDC's public health emergency preparedness (PHELP) program.

H.R. 6352, the Tribal Medical Supplies Stockpile Access Act, to guarantee that IHS tribal authorities, and urban Indian-organizations have direct access to the Strategic National Stockpile for drugs and medical supplies that can be used during public health emergencies.

H.R. 6535, FTCA Coverage for Urban Indian Organization Act, to create parity within the I/T/U system by extending the Federal Tort Claims Act coverage to urban Indian organizations.

H.R. 4564 the Suicide Prevention Lifeline Improvement Act to expand the services needed to assist those in crisis and ensure they receive the help needed in a timely manner.

H.R. 1109 the Mental Health Services for Students Act to provide \$200 million in competitive grants for public schools across the country to partner with local mental health professionals to establish comprehensive mental health services for students.

H.R. 4153, HIS-VA MOU fix for UIOs to participate under Section 405 of the Indian Health Care Improvement Act (25 USC 1645).

H.R. 2316, to provide an extension of FMAP to UIHOs.

H.R. 5687, Emergency Supplemental Appropriations for Disaster Relief and Puerto Rico Disaster Tax Relief Act, to provide Fiscal Year (FY) 2020 supplemental appropriations and expand tax credits to respond to recent natural disasters and emergencies that affected Puerto Rico and other U.S. territories.

H.R. 6379, Take Responsibility for Workers and Families Act, to provide additional Fiscal Year (FY) 2020 supplemental appropriations to federal agencies to respond to the COVID-19 outbreak's impacts on the economy, public health, state and local governments, individuals, and businesses.

H.R. 4821, Covering our Freely Associated States Allies Act, permits Medicaid coverage for citizens of the Freely Associated States (the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau) lawfully residing in the United States under the Compacts of Free Association. This was included in H.R.6379, Take Responsibility for Workers and Families Act.

H.R. 6623, COVID-19 Language Access Act, requires each federal agency that receives federal assistance related to the COVID-19 pandemic to translate any English language written material prepared for the general public relating to the pandemic into specified languages not later than seven days after such material is made available in English. Such languages shall include, at a minimum, the following: Spanish, Arabic, Cambodian, Chinese, Haitian Creole, French, Hindi, Italian, Japanese, Korean, Laotian, Russian, Tagalog, Urdu, Vietnamese, Greek, Polish, Thai, and Portuguese.

H.R.6585, Equitable Data Collection and Disclosure on COVID-19 Act, requiring HHS to post daily updates on the CDC website on COVID-19 testing, treatment, hospitalizations, ICU admissions, health outcomes, and fatalities. This data must be disaggregated by race, ethnicity, sex, age, socioeconomic status, disability status, county, and other demographic information.

The COVID-19 Disaster in Indian Country Act, to direct the Federal Communications Commission (FCC) to grant Indian Tribes special temporary authority of available spectrum on Tribal lands for emergency broadband deployment.

H.R. 6437, the Coronavirus Immigrant Families Protection Act, to ensure that all communities have access to urgently needed COVID-19 testing, treatment, public health information, and relief benefits regardless of immigration status or limited English proficiency.

Thank you for your consideration of these requests. We look forward to continuing to work with you to ensure that our COVID-19 relief efforts meet the needs of our most vulnerable populations.

Sincerely,

Rep. Joaquin Castro
Congressional Hispanic Caucus
Chair

Rep. Judy Chu
Congressional Asian Pacific
American Caucus Chair

Rep. Karen Bass
Congressional Black Caucus
Chair

Rep. Deb Haaland
Congressional Native American
Caucus Co-Chair