

June 9, 2023

The Honorable Debbie Stabenow
Chair
Agriculture, Nutrition & Forestry Committee
U.S. Senate
Washington, DC 20510

The Honorable John Boozman
Ranking Member
Agriculture, Nutrition & Forestry Committee
U.S. Senate
Washington, DC 20510

The Honorable Glenn “G.T.” Thompson
Chair
Committee on Agriculture
U.S. House of Representatives
Washington, DC 20515

The Honorable David Scott
Ranking Member
Committee on Agriculture
U.S. House of Representatives
Washington, DC 20515

Dear Chairwoman Stabenow, Ranking Member Boozman, Chairman Thompson, and Ranking Member Scott:

The next farm bill is an opportunity for Congress to ensure the safety and resilience of the food supply chain by protecting and supporting the people who plant, harvest, process, transport, sell and serve our food, as well as those who administer our food programs. The following recommendations focus on ways that the United States Department of Agriculture (USDA) can support food chain workers including meat and poultry slaughter and processing workers; food processing workers; food inspectors; farmworkers; and other workers along the food supply chain who work to put food on our plates and ensure a functioning food and farm economy.

Recognizing workers in the farm bill will help transform the U.S. food and farm system into one that is more equitable and sustainable for everyone. The undersigned groups represent food and farmworkers, as well as farmers, scientists, unions, inspectors, and eaters in solidarity with food and farmworkers.

The 21.5 million people who work in our food system have been declared essential by the federal government for their role in feeding our nation.¹ But their lack of access to quality nutritious food, adequate pay and healthcare, protective equipment, and safe housing, was further exposed during the pandemic and revealed how vulnerable they are in our current food system.² As our planet warms, causing more frequent and more severe weather events, farmworkers are enduring

¹www.cisa.gov/sites/default/files/publications/CISA-Guidance-on-Essential-Critical-Infrastructure-Workers-1-20-508c.pdf

² www.theguardian.com/commentisfree/2020/apr/14/will-we-have-food-coronavirus-pandemic

more dangerous conditions such as extreme heat and wildfire smoke.³ We are committed to working together with Congress and the Biden administration to ensure the next farm bill includes policies that protect workers from the dangers of the next pandemic, climate disaster, or from the whims of exploitative corporations.

To ensure the safety and dignity of food and farm workers, the undersigned groups urge Congress to include the following policies in the next farm bill:

1. Coordinate USDA services for food chain workers
2. Replenish the Farm and Food Worker Relief (FFWR) grant program
3. Expand USDA's Emergency and Disaster Relief Authorities to support farm and forestry workers
4. Enact USDA provisions of the Protecting America's Meatpacking Workers Act (PAMWA)
5. Prioritize research on alternatives to pesticides and increase USDA research on food supply chain workers
6. Enact labor standards in food procurement and other USDA contracts
7. Create pathways for farmworkers to become farm owners including through language access in USDA programs and services
8. Create an accessible warning system that alerts farmers and food chain workers of current and forecasted dangerous weather conditions
9. Protect Supplemental Nutrition Assistance Program (SNAP) and support food chain worker food security
10. Protect and support workers on public lands

The information below is further detail for each policy recommendation:

1. Coordinate USDA services for food chain workers

In 2008, Congress created the role of Farmworker Coordinator at USDA, which now sits in the Office of Partnerships and Public Engagement (OPPE), under the Office of Advocacy and Outreach.⁴ The Coordinator is tasked with administering the low-income migrant and seasonal farmworkers emergency grant program⁵, serving as a liaison to community-based nonprofit organizations; coordinating with other Federal agencies, and state and local governments to meet farmworker needs during emergencies; integrating farmworkers' concerns and voices into USDA's programming; consulting with relevant institutions on agricultural education opportunities that assist low-income and migrant

³ https://clc.ucmerced.edu/sites/clc.ucmerced.edu/files/page/documents/fwhs_report_2.2.2383.pdf

⁴ 7 U.S.C § 6934(f); 7 C.F.R. § 2.700.

⁵ 42 USC 5177a

seasonal farmworkers; and supporting farmworkers in becoming producers or landowners.⁶ Although the Farmworker Coordinator is a critical position, the role has not been fully resourced and fails to meet its purpose. Currently, the person filling the role wears multiple hats in OPPE, must balance coordinator responsibilities among other initiatives, and does not have a background rooted in the farmworker community. Even if the role were staffed as envisioned, a single Farmworker Coordinator is insufficient to support and represent the over 2 million farmworkers in the United States.

To ensure USDA regards and prioritizes agricultural workers as a core constituency in its mission, as well as supports workers along the food supply chain, the Farmworker Coordinator position should be elevated to a fully staffed Farmworker and Food Chain Worker Office with an expanded mandate headed by a dedicated full-time Farmworker Coordinator and sufficient supporting staff. This should include appointment of farmworker liaisons to key USDA Agencies and Mission Areas including Farm Service Agency, Natural Resource Conservation Service, Rural Development, National Institute of Food and Agriculture, Food and Nutrition Service, Agricultural Marketing Service, and US Forest Service, and coordination with Department of Labor, Occupational Health and Safety Administration, Environmental Protection Agency, and other relevant federal agencies to support food chain workers.

In addition, representatives of farmworker organizations should be made eligible to serve on the Beginning Farmer and Rancher Advisory Committee and the Minority Farm Advisory Committee as well as the National Agricultural Research, Extension, Education, and Economics Advisory Board.

2. Replenish the Farm and Food Worker Relief Grant Program (FFWR)

The USDA Farm and Food Worker Relief Grant Program (FFWR) was created to help farmworkers and meatpacking workers with pandemic-related health and safety costs. The first of its kind, the FFWR Program awarded \$667 million in 2022 in competitive grant funding to 14 non-profits and one tribal entity to distribute support for meat processing, grocery store, and farm workers for expenses incurred due to the COVID-19 pandemic.⁷ The next farm bill must replenish this funding so that the USDA is prepared for the next emergency. Replenishing this fund will provide dignity and safety for workers, ensure nutrition security, and help to mitigate disruptions to the U.S. food and farm economy in the future.

⁶ 7 U.S.C § 6934(f).

⁷ <https://www.ams.usda.gov/services/grants/ffwr>

3. Expand USDA’s Emergency and Disaster Relief Authorities to support Farmworkers and Forestry Workers

USDA’s disaster assistance programs generally fail to anticipate the needs of farmworkers, who may lose not only their source of livelihood, but also their access to housing, food, and healthcare in the wake of disaster.⁸ Instead, these programs are “intended to assist producers recovering from production, financial, and physical loss related to or caused by the disaster.”⁹ Producers are extended a helping hand and provided with opportunities to rebuild after a disaster, while farmworkers are left without resources to recuperate the substantial losses they have suffered as a result of the same catastrophes.

Weather extremes associated with climate change are creating increasingly uncertain and life-threatening working conditions for farmworkers. As rising summer and winter temperatures and shifting rainfall patterns alter the timing and length of growing seasons, extreme heat is becoming more common and deadly.¹⁰ Wildfires, smoke drift, and flood leave farmworkers vulnerable to food and housing insecurity. The next farm bill must expand USDA authorities to ensure that farmworkers have equitable access to disaster preparedness and disaster relief, including access to protective equipment and safe housing, and funds to cover lost wages in the wake of extreme weather events.

Emergency grants to assist low-income migrant and seasonal farmworkers¹¹ have not been funded since the 2008 Farm Bill established the standing Supplemental Revenue Assistance Payments (SURE) program. SURE provides disaster payments to farmers rather than the ad-hoc disaster bills previously used that allowed approval of emergency disaster payment grants for farmworkers.¹² Also, USDA has claimed it does not have the authority to declare a disaster for farmworkers. The emergency grant program authority should be modified to provide for a standing disaster emergency fund administered by a new Farmworker and Food Chain Worker Office with authority to make grants quickly to eligible organizations serving farmworkers whenever disasters for farmers and ranchers are declared in the areas where farmworkers or forestry workers are employed.

⁸ <https://www.farmbilllaw.org/wp-content/uploads/2022/06/Farmworkers-Report.pdf>

⁹ <https://www.farmbilllaw.org/wp-content/uploads/2022/06/Farmworkers-Report.pdf>

¹⁰ <https://www.mdpi.com/2071-1050/11/13/3599>

¹¹ 42 USC 5177a

¹² https://www.fsa.usda.gov/Internet/FSA_File/29147200808.pdf

4. Enact USDA provisions of the Protecting America’s Meatpacking Workers Act (PAMWA)

Since the turn of the century, Congress has recognized that regulations are necessary to safeguard food safety and has directed the USDA through the Federal Meat Inspection Act and Poultry Meat Inspection Act to ensure that food products are safe and unadulterated.¹³ And for more than thirty years, the USDA has set limits on slaughter line speeds as part of that food safety regime. The USDA Office of Inspector General has found that plants operating at faster speeds “may have a higher potential for food safety risks.”¹⁴ At faster line speeds, meat and poultry slaughter and processing workers face severe injury, illness and death on the job. Faster line speeds are detrimental to food safety and workers.¹⁵

The Protecting America’s Meatpacking Workers Act (PAMWA) includes USDA-specific provisions that would help safeguard worker and food safety which should be included in the next farm bill. Such provisions include:

Sec. 101. Rule on Increased Line Speeds at Meat and Poultry Establishments which would prohibit the Secretary of Agriculture from issuing a waiver to increase line speeds unless the company agrees to an inspection and it’s determined that an increase in line speed would not have an adverse impact on worker safety. Additionally, this provision requires that the Secretary provide transparency in making line speed waiver determinations and requires a report to Congress on the impact of issuing said line speed waiver.¹⁶

Additional provisions in PAMWA that would safeguard food chain workers include expanding local meat and poultry processing grants with labor standards, restoring mandatory country of origin labeling for beef and pork, increased funding for OSHA to hire inspectors, and requiring GAO to conduct a study on line speeds and their effectiveness in protecting animal, food, and worker safety.¹⁷

5. Prioritize research on alternatives to pesticides and increase USDA research on food supply chain workers

The next farm bill must prioritize research on alternatives to pesticides, including research on agroecology principles. Congress should increase investments in public agricultural and agroecological research programs, particularly those that focus on reducing worker exposure to extreme heat, heat-trapping emissions, and alternatives to

¹³ www.ufcw.org/wp-content/blogs.dir/61/files/2023/02/Worker-Friendly-Farm-Bill-Fact-Sheet-January-2023.pdf

¹⁴ <https://www.usda.gov/sites/default/files/24601-0001-41.pdf>

¹⁵ https://aflcio.org/sites/default/files/2023-04/2303_DOTJ_2023_final%20%283%29.pdf

¹⁶ <https://www.congress.gov/bill/118th-congress/senate-bill/270/text?s=1&r=17>

¹⁷ <https://www.congress.gov/bill/118th-congress/senate-bill/270/text?s=1&r=17>

pesticides. Public research programs—including the USDA’s Agriculture and Food Research Initiative, Sustainable Agriculture Research and Education Program, and Organic Agriculture Research and Extension Initiative—need to be continually improved and expanded to address workers. Additionally, Congress should increase the amount of funding for research on farmworker health administered by the National Institute of Food and Agriculture to make sure that policymakers can use rigorous evidence to support future policies that impact farmworker health.¹⁸ More USDA research should also be conducted on the physical and mental health, safety, and resilience of all food chain workers, including meat and poultry slaughter and processing workers.

6. Enact labor standards in food procurement and other USDA contracts

Through procurement contracts, grants, loans, loan guarantees, and tax breaks, the federal government funds work performed by millions of people.¹⁹ The federal government’s procurement contracts make it a major purchaser of a wide variety of goods and services across many industries including a significant percent of meat, poultry, and other processed food.²⁰

As the steward of our nation’s taxpayers’ dollars, the federal government has an obligation to ensure that federal funds are spent not only on quality products, but also support quality jobs with high labor standards for workers. The undersigned organizations support using federal purchasing power to guarantee the federal government only does business with companies that respect workers’ rights, pay living wages, provide a safe workplace, and treat their workers with dignity and respect.

The Child Labor Exploitation Accountability Act would prohibit the USDA from engaging in contracts with companies that have committed egregious labor law violations and/or contracted with vendors that have incurred, and failed to rectify, serious worker or labor infractions.²¹ For example, this bill would require companies competing for contracts with the USDA to disclose labor and worker safety infractions by the company itself as well as by any of their contractors in the preceding three years. The undersigned organizations urge Congress to include USDA provisions of the Child Labor Exploitation Accountability Act in the next farm bill. But because the Fair Labor Standards Act excludes agriculture from the child labor protections afforded other industries, child labor in agriculture will need to be addressed by amending labor law.

¹⁸ <https://www.ucsusa.org/resources/investing-us-farmworker-health>

¹⁹ <https://www.ufcw.org/wp-content/blogs.dir/61/files/2023/02/Worker-Friendly-Farm-Bill-Fact-Sheet-January-2023.pdf>

²⁰ <https://www.ufcw.org/wp-content/blogs.dir/61/files/2023/02/Worker-Friendly-Farm-Bill-Fact-Sheet-January-2023.pdf>

²¹ <https://www.congress.gov/bill/118th-congress/senate-bill/1288/text?s=1&r=10>

7. Create pathways for farmworkers to become farm owners including through language access in USDA programs and services

The average age of farmers in the U.S. is approaching 60 and the number of young farmers is not keeping pace with the aging of the industry.²² Farmworkers have the skills and expertise to grow our nation's food but lack pathways to land access and farm ownership. In fact, only 3% of farm owners are Latinx/Hispanic while 83% of farmworkers are Latinx/Hispanic.²³ The next farm bill should invest in equitable land transition to beginning farmers and farmworkers.²⁴ USDA loan and conservation programs should be expanded to provide technical assistance directly to farmworkers seeking to become farmers so that they can access land, equipment, and conservation cost-share dollars to increase their viability.

The Agency must ensure language access for farmworkers participating in these programs whose primary language is not English, connecting them to Agency employees fluent in their language with cultural competence and the technical knowledge and skills necessary to help them complete applications or otherwise access services. To accomplish this, the President's Language Access Executive Order should be codified with respect to USDA programs and services, requiring the provision of interpretation and translation in all outreach and service to farmworkers and farmworkers seeking to become farmers, and technical assistance provided directly in the preferred language of the farmworker or farmer.

All technical assistance programs, including those through Farm Service Agency and Natural Resource Conservation Service, should be open to organizations that supply technical assistance to farmworkers seeking to become farmers. This would include organizations seeking to assist farmworkers in becoming organic farmers. Lastly, federal policy should shift financial incentives away from monoculture farming towards smaller scale and more diverse farming systems that use fewer pesticides, are better for human and soil health, and that are more accessible to beginning farmers and farmworkers transitioning to become farmers.^{25, 26}

²² <https://www.nass.usda.gov/Publications/Highlights/2020/young-producers.pdf>

²³ https://www.nass.usda.gov/Publications/Highlights/2019/2017Census_Hispanic_Producers.pdf

²⁴ <https://www.youngfarmers.org/land/>

²⁵ <https://www.tandfonline.com/doi/full/10.1080/03066150.2017.1293661>

²⁶ <https://www.ucsusa.org/sites/default/files/attach/2017/08/turning-soils-into-sponges-full-report-august-2017.pdf>

8. Create a warning system that alerts food chain workers and farm owners of current and forecasted dangerous weather conditions

USDA should be required to enter into a memorandum of understanding with FEMA, the National Weather Service, and other relevant federal agencies to develop a system to warn farmers and food chain workers of current and forecasted dangerous conditions.²⁷

Alerts would need to be provided directly to farmers and ranchers employing farmworkers, posted on USDA Climate Hubs, and offered in appropriate languages and alternative formats necessary to effectively alert all farmers, farm and forestry workers and food chain workers.

9. Protect SNAP and support food chain worker food security

Food chain workers are frequently subjected to low wages, and to make matters more unstable, they are often exposed to uncertain extreme weather events that lead to loss of paid work days. Site-specific studies show rates of farmworker and farmworker household food insecurity ranges from 47 to 82 percent, yet many are not able to benefit from SNAP due to their immigration status, language barriers, or lack of technical support and are sadly left food insecure.^{28, 29} Additionally, despite their essential role in the food system, food workers are roughly twice as likely to need SNAP as the average worker in the U.S.³⁰

Congress must protect SNAP from any cuts and strengthen SNAP by expanding eligibility for food and farmworkers and increasing the dollar amount of benefits a household receives. Concurrently, Congress should support community-based organizations and emergency food services that provide relief in vulnerable communities, particularly in the aftermath of extreme weather events and disasters.

10. Protect and support workers on public lands

Over the past several decades, the devastation of wildfires has grown more severe across the forests of western North America.³¹ For example, wildfires are burning larger areas, more severely, at higher elevations, and over a longer fire season.³² Wildfires have profound impacts on the health and well-being of people, communities, and ecosystems. In an average year, dozens of civilians and firefighters lose their lives or livelihoods in wildfires across western North America, and millions more suffer indirect health impacts from harmful air quality and pollution from wildfire smoke.³³

²⁷ <https://www.ucsusa.org/sites/default/files/2019-12/farmworkers-at-risk-report-2019-web.pdf>

²⁸ <https://blog.ucsusa.org/alice-reznickova/how-many-farmworkers-are-food-insecure/>

²⁹ <https://www.nrdc.org/bio/marisa-guerrero/food-work-covid-farmworker-solutions-unjust-system>

³⁰ <https://blog.ucsusa.org/alice-reznickova/how-big-food-corporations-take-advantage-of-snap/>

³¹ <https://www.ucsusa.org/resources/fossil-fuels-behind-forest-fires#read-online-content>

³² <https://www.ucsusa.org/resources/fossil-fuels-behind-forest-fires#read-online-content>

³³ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3492003/>

The next farm bill must support and protect workers on public lands, including all forestry workers. Some key actions that Congress can take include increasing salary, protections, and benefits for all forestry workers, including U.S. Forest Service hotshot firefighters and fuel reduction thinning workers. Additionally, Congress should direct the Forest Service to limit production goals for planting, thinning, and other vegetation treatments to allow a safe pace of work. Lastly, Congress can direct the Forest Service to notify partner organizations (worker centers and unions) when a worker has been injured on the job so that the partner organization may follow up with the worker to assure that they receive any workers' compensation benefits to which they are entitled.

The policies suggested in this letter are written to be within the jurisdiction of the farm bill; however, the undersigned groups also strongly support providing safety and dignity to all food chain workers through additional legislative vehicles on issues like immigration reform and Department of Labor safety measures that currently fall outside of the jurisdiction of the farm bill.

We look forward to working with Congress and the Biden Administration to make these changes a reality in the next farm bill – the sustainability of human health and our food and farm economy depend on it.

Thank you for taking these policy proposals into consideration.

Sincerely,

4th World Farm
 A Better Balance
 Agri-Cultura Cooperative Network
 Agricultural Justice Project
 AIDS Alabama
 Alabama State Association of Cooperatives
 Alianza Nacional de Campesinas
 American Sustainable Business Network
 Appetite For Change
 Bohemia Food Hub
 California Climate & Agriculture Network (CalCAN)
 Campaign for Family Farms and the Environment
 Catskill Mountainkeeper
 Center For Food Safety
 Center for Good Food Purchasing

Certified Naturally Grown
Charlottesville Food Justice Network
Chicago Food Policy Action Council
Community Alliance with Family Farmers
Crop Swap LA
Cultivate Charlottesville
Earthjustice
EFOD Collaborative
Environmental Working Group
Farm Action Fund
Farm Aid
Farm Bill Law Enterprise
Farmers Market Fund
Farmworker Association of Florida
Farmworker Justice
Food Animal Concerns Trust
Food Chain Workers Alliance
Fresh Approach
Friends of the Earth U.S.
Georgia Organics
Government Accountability Project Food Integrity Campaign
Grazing Reform Project
Harvard Law School, Food Law and Policy Clinic
HEAL (Health, Environment, Agriculture, Labor) Food Alliance
Health Care Without Harm
Illinois Stewardship Alliance
Institute for Agriculture and Trade Policy
Justice in Motion
La Raza Community resource Center
La Semilla Food Center
Land Stewardship Project
Latino Farmers & Ranchers International, Inc.
League of Conservation Voters
LifeSource System, Inc
Loaves & Fishes Food Pantry, Inc.
Michigan Food & Farming Systems (MIFFS)
Midwest Farmers of Color Collective
National Black Food & Justice Alliance
National Council for Occupational Safety and Health
National Employment Law Project

National Family Farm Coalition
National Farm to School Network
National Partnership for Women & Families
National Sustainable Agriculture Coalition
National Young Farmers Coalition
Natural Resources Defense Council
Near Futures Projects
New Entry Sustainable Farming Project
New Mexico Food & Agriculture Policy Council
North Carolina Association of Black Lawyers Land Loss Prevention Project
North Coast Food Web
Northeast Organic Dairy Producers Alliance
Northeast Organic Farming Association of New Hampshire
Northeast Organic Farming Association of New Jersey
Northeast Organic Farming Association of New York
Northeast Organic Farming Association of Rhode Island
Northeast Organic Farming Association of Vermont
Northeast Organic Farming Association-Interstate Council
Northeast Sustainable Agriculture Working Group
Ohio Ecological Food and Farm Association
OMI Cultural Participation Project
Oregon Climate and Agriculture Network
Oregon Farm to School & School Garden Network
Oregon Food Bank
Organic Farming Research Foundation
Oxfam America
Pasa Sustainable Agriculture
Pesticide Action Network
Plant Based Foods Institute
Pocasset Pokanoket Land Trust
Project Protect Food Systems Workers
Real Food Media
Rebirth Inc
ROC United
Rural Advancement Foundation International-USA (RAFI-USA)
Rural Advancement Fund of the National Sharecroppers Fund
Rural Coalition
Rural Development Leadership Network
Soil Centric
Soul Fire Farm

Springfield Food Policy Council
Sprout NOLA
Stanford University Environmental Justice Working Group
The CLEO Institute
The Mississippi Workers Center for Human Rights
The Wave Foundation
They Keep Bees
Toohnii Binaneest'ą? Ałtaas'ée' Alliance (ToohBAA)
Union of Concerned Scientists
United Food and Commercial Workers
Wallace Center at Winrock International
Women, Food and Agriculture Network (WFAN)
Women's Voices for the Earth
Workers Center of Central NY
Venceremos

CC:

USDA Secretary Tom Vilsack
Vice President Kamala Harris
President Joe Biden