

April 14, 2020

The Honorable Mitch McConnell  
Majority Leader

The Honorable Nancy Pelosi  
Speaker of the House of Representatives

The Honorable Charles Schumer  
Minority Leader

The Honorable Kevin McCarthy  
Minority Leader

U.S Senate  
Washington, D.C. 20510

The Honorable Steny Hoyer  
Majority Leader

U.S. House of Representatives  
Washington, D.C. 20515

Dear Speaker Pelosi, and Leaders McConnell, Schumer, Hoyer, and McCarthy:

Hispanic Federation applauds your quick work in passing the CARES Act. Although a significant step forward in addressing the medical and economic crisis created by COVID-19, millions of Latinos in the U.S. and Puerto Rico were left out of key provisions of legislation passed to address the impacts of the coronavirus.

Hispanic Federation (HF) is a leading social service and advocacy organization with a network of hundreds of Latino member and community-based health and human service agencies to promote the social, political, and economic well-being of Latino communities. Founded in 1990 to support Latino institutions in New York City, the Federation has grown into a national organization working in twenty-two states, Puerto Rico, and the District of Columbia.

We are writing to urge you to pass a CARES Act 2 relief bill that secures the health and safety for all people, regardless of immigration status or geographic location, and makes assistance available for the duration of the economic downturn – not cut off when the immediate health crisis has passed as we know it will. As schools, childcare programs, and businesses have shut down and people are sheltering at home, individuals and families with low incomes and communities of color face serious health risks and far greater economic vulnerability than those who went into the crisis with more resources.

In crafting relief packages and designing response plans, we can't afford to overlook the nonprofit sector. Right now, cities, states, and territories are relying on nonprofit partners as a buffer against the worst impacts of the outbreak. We all will continue to rely on the expertise and experience of these community-based institutions in the recovery effort that lies ahead.

Nonprofits are on the frontlines of the coronavirus response, providing food, shelter, medical assistance, and other critical services to those in need in their communities. Yet, many are having to wait in line behind for-profit businesses with existing financial relationships in order to apply for SBA loans. We must give nonprofits the support they need to lead their communities out of this crisis.

On behalf of our board, staff, and our network of hundreds of community-based and Federation member organizations, we urge you to ensure that any and all economic relief packages include explicit language providing relief to nonprofits and minority-owned small businesses so that we are able to obtain the support needed to sustain crucial operations and grow to meet the inevitable influx of needs brought about by COVID-19.

We also ask that Congress give dedicated attention to the needs of Puerto Rico. Puerto Rico is 31<sup>st</sup> in population out of 56 U.S. states and territories, and the entire island is incredibly vulnerable to a health crisis of this kind as a result of unique circumstances. Hurricanes Maria and Irma in 2017, earthquakes this year, the federal government's limited response to both, plus decades of exclusion from the full benefits of federal programs have dangerously undermined its health and mental health infrastructure. If a coronavirus catastrophe hits, and the federal government inadequately responds, or places additional barriers to accessing the funds needed, the culpability will be undeniable.

Even though the full extent of the current crisis is not yet known, we request that you take the following actions to mitigate impacts, support vulnerable communities, and give our country the best chance of short and long-term recovery.

#### **NONPROFITS AND MINORITY BUSINESSES**

**Provide the nonprofit sector with increased emergency funding of at least \$60 billion for targeted state/territory formula grants and programs that will ensure that organizations can maintain a continuity of services.** These funds must be distributed quickly through multiple existing and new funding streams, including emergency grants to nonprofits operating under existing federal grants, as well as through sub-grantees for state or local governments, or other pass-through entities. Dedicated funding streams should be directly accessible to community-based nonprofits on the frontlines. Nonprofits should not have to compete with for profit businesses for their existence.

**Provide dedicated funding for community-based lenders,** including small community-based lenders, community banks and community-based lenders that focus on minority communities and those without existing lending relationships.

#### **PUERTO RICO**

**Ensure all Puerto Rico and other small nonprofits are immediately eligible to apply for forgivable loans under the Paycheck Protection Act** if they meet the Small Business Administration nonprofit definition for qualifying for SBA EIDL loans (according to 13 C.F.R. 123.300), by providing satisfactory evidence from the State that the non-revenue producing organization or entity is a non-profit organized or doing business under State law.

**Ensure Puerto Rico quickly receives federal funds to provide direct cash benefits to those who need it most; require quick approval of a streamlined process for people who do not file federal or local income tax returns** (such as through the SSA for retired workers or through the Family Department for low-income families that are exempt and do not file taxes but are in the Department's system). Those direct cash transfers must not negatively impact people's abilities to receive public benefits, should be as inclusive and robust as possible, and should last for the duration of the economic crisis.

**Increase funding for Medicaid extending the 100% match through FY 2022** to help Puerto Rico weather the current crisis which comes on the heels of multiple years of disasters and strains on the underfunded healthcare system.

**Ensure that all territories, including Puerto Rico, American Samoa, Commonwealth of the Northern Mariana Islands, Guam, and the U.S. Virgin Islands are treated equitably as beneficiaries of all provisions intended to alleviate this current emergency** (e.g. Paid Sick and Family Leave, Pandemic and other unemployment benefits, direct cash assistance, EBT flexibility, money for community health centers and housing, and to address the impact of COVID-19 on the homeless and underhoused, etc.).

**Direct the U.S. Department of Labor to amend its ruling (Pub. L. 116-127) about the effective start date of emergency paid sick and family leave under the Families First Coronavirus Response Act to the date a state or local government implemented lockdown orders**, or to March 13, 2020, the date President Trump declared that the COVID-19 epidemic constituted a national emergency. Following the President's declaration, Puerto Rico's governor moved swiftly and issued a stay-at-home order (EO 2020-023) on March 15<sup>th</sup>, to contain the spread of the coronavirus on the island.

**Transition Puerto Rico's capped, block grant Nutritional Assistance Program (NAP) into the federal SNAP program available to U.S., Guam, and USVI residents.** Puerto Rico's hungry, who are majority children and elderly, should receive the same level of nutritional assistance as people who are hungry on the mainland. **Alternatively, extend disaster level nutrition funding by a minimum of \$1.3 billion for NAP to provide assistance at current SNAP levels to the island's existing recipients and the anticipated 15% increase in COVID-related jobless applicants through FY 2021**, or whatever is needed to meet the additional demand due to coronavirus, due to shelter in place orders and job loss, for the duration of the health and economic crisis or until the island's unemployment levels return to the US median. Increases in NAP benefits should be tied to future increases in SNAP benefits to achieve parity. (Note re current disparity: a household of 4 in Puerto Rico under basic NAP receives \$410, while a household of 4 under basic SNAP in the U.S., Guam, and USVI, receives \$649 per month.)

**Provide immediate, dedicated money to address existing gaps in mental health and health care infrastructure and personnel as a result of continuous years of natural disasters and infrastructure failures** to ensure that the island has enough resources to meet the health needs related to COVID-19. Currently, hospitals in Puerto Rico have 1,078 owned/rented ventilators (780 available for new cases), and 604 ICU beds (300 available). Projections of best-case scenarios put Puerto Rico's needs at 1000 ventilators and ICU beds. Without additional assistance, the island's already weakened healthcare system could collapse under the strain.

**Promote domestic pharmaceutical and medical supply production in Puerto Rico where 49 FDA-approved plants are already in operation, and ensure that Puerto Rico manufacturers are specifically included in any expansion of the Defense Production Act** in order to help our country meet its current and future medical needs and provide an additional economic stimulus for the island.

**Provide assistance to the critical nonprofit sector to help the territory recover from the impacts of COVID-19 by reducing the federal cost-share by 100% for a period of 5 years** if the organization is a direct recipient of a federal grant and operating in a jurisdiction with more than 25% of the population living below the poverty level at the time the grant is received.

**Dedicate investments to immediately expand emergency and long-term broadband access to all unserved and underserved rural, urban, and island Puerto Rican communities across the territory** to increase access to telemedicine, teleworking, tele-schooling and critical government services. According to census data, only 56% of Puerto Rican households have access to broadband internet compared to 80% in the United States.

**Immediately approve and disburse the bipartisan \$4.7 billion disaster relief bill passed by the House (H.R. 5687) in February 2020 to assist with earthquake recovery.** Additional and separate federal monies must be provided for this new emergency rather than reprogramming monies appropriated for previous disasters to be reprogrammed to meet new needs from Covid-19.

**Direct the immediate release of congressionally appropriated money to help Puerto Rico rebuild and recover from nearly 3 years of disasters which have weakened its ability to adequately respond to the current health pandemic and crushing economic impacts from job losses, and loss of business revenue.** Congress has made three separate appropriations for Community Development Block Grants Disaster Recovery Program (CDBG-DR) funds totaling nearly \$20 billion for Puerto Rico, but only \$1.5 billion of that money has reached the island. This money should not be released in lieu of dedicated money to respond to the Covid-19 health and economic crisis.

**Direct COVID-19 assistance in the form of forgivable Community Disaster Loans (CDL) to local municipalities, and direct the Treasury Department to issue forgiveness of the CDLs accessed by municipalities following Hurricane Maria,** in order to continue the day-to-day provision of essential government services as well as avoid furloughs that would further devastate the island's already fragile economy and provide some debt relief to local governments.

**Pass the Economic Mobility Act of 2019 ([H.R. 3300](#)) or provisions thereof, to immediately expand the eligibility for the anti-poverty Child Tax Credit (CTC) and Earned Income Tax Credit (EITC) programs to the territories** to assist with long term economic recovery taking into account the differing tax filing structures of possessions.

**Repeal and/or suspend the Jones Act and air cabotage restrictions for the island for the duration of the economic recovery** which will lower costs for emergency equipment and supplies, and relieve consumers from \$1.5 billion in additional costs and act as an additional stimulus to the Puerto Rican economy.

**Institute a tax credit for wages, capital investments, in depressed zones with at least a 30% poverty rate** to assist with economic recovery and attract investments.

#### **WORKER HEALTH AND SAFETY**

**Immediately require OSHA to issue enforceable COVID-19-specific requirements for practices and policies that employers must implement to protect workers, including farmworkers,** and to do mandatory, on-site inspections or enforcement when workers reach out to the agency for help to get their employer to implement procedures to keep them safe during the pandemic. The plans should address protections regarding transportation and/or housing if the employer provides or arranges housing and/or transportation.

**Immediately exercise the full powers of the government available to you, including prevailing upon the President to widely implement the Defense Production Act at the scale and speed necessary to accelerate production and acquisition of supplies and equipment to maximize protection of frontline workers** such as healthcare and transit workers, food service, agricultural and janitorial workers, police officers and first responders, cashiers, childcare and other essential workers, whose lives and families are at immediate risk in the face of the coronavirus pandemic.

**Federally fund premium pay for frontline workers deemed “essential” and required to report to work exposing themselves to risk during a health crisis.** Any “scale” in pay should flow in an inverted triangle, with the most money going to lowest paid workers who are already being required to risk so much for so little.

**Immediately pass the [Healthy Families Act](#), or provisions thereof, which has a provision for public health emergencies that would provide all workers with paid sick time to provide families with economic security, reduce community contagion, decrease unnecessary health costs, and ensure employers keep their jobs open for the duration of any virus-related time missed from work.**

**Provide at least \$50 billion that prioritizes paying, retaining, and expanding the number of childcare workers through the Child Care and Development Block Grant (CCDBG), to enable child care providers to safely serve essential workers now, and ensure a functioning child care system post-COVID 19,** which is critical for getting families back to work and school as we recover. Without a viable system of safe and affordable childcare in place for millions of children and families, many will be unable to return to the workforce and contribute fully to the economic recovery.

#### **ECONOMIC STIMULUS/ SAFETY NET SUPPORTS**

**Extend Medicaid FMAP expansions and Maintenance of Effort (MOE) beneficiary protections, and prohibitions on eligibility restrictions** which prevent states that receive increased federal funding from terminating coverage during the public health emergency, or adopting additional barriers to eligibility which make it harder for people to enroll during this public health emergency.

**Increase minimum and maximum SNAP benefits and make long-term, structural changes to alleviate hunger based on need, and deal with the long-term economic downturn and simultaneously adjust NAP block grant benefits amounts to reflect parity with SNAP.** \$1.40 per person per meal under SNAP is completely inadequate, even in normal times. *Maximum* benefits should be increased by at least 15 percent (to \$1.61 per meal), and *minimum* monthly benefits should increase to \$30, to both stimulate the economy and keep people from going hungry. In addition, asset tests should not penalize people for having savings to weather emergencies. Increasing NAP benefits by the same amounts does not achieve parity but only widens the disparity.

**Expand benefits and eligibility under SNAP to help growing numbers of families struggling to afford food in the pandemic.** Since SNAP is one of the fastest, most effective forms of economic stimulus, indefinitely suspend the program’s three-month time limit on benefits for jobless adults who aren’t raising children in their homes, and eliminate administrative barriers, such as work requirements and asset tests, that prevent people from accessing nutrition assistance and health care through the SNAP and Medicaid programs.

**Increase funding to Food Banks by \$2 billion to respond to the needs of rising unemployment over the next six months** which could see the number of food insecure individuals rise by 17 million - a 46% increase from the current 37 million.

**Ensure farmworkers can feed their own families by removing eligibility restrictions for nutrition assistance, including the federal Supplemental Nutrition Assistance Program (SNAP) benefits.** Studies of migrant and seasonal farmworkers have found that food insecurity rates range from 50 to 65 percent of the population.

**Create an emergency fund modeled after the successful depression-era TANF Emergency Fund which could quickly provide families with children and others with cash assistance to meet their basic needs** and could also provide funding to states to set up subsidized jobs programs after the health crisis diminishes to help quickly lower high unemployment rates and move people back into the employment lessening demand for public benefits.

### EDUCATION

**Address the digital divide that reflects income and racial inequality.** Technology access and support must include accommodations for all kids with disabilities, all English learners, and all families regardless of home language, income, or immigration status of students or parents. Proposals should maximize participation by *all* broadband providers – wireline, wireless, big and small – to ensure that all consumers benefit.

**Increase funding to support migrant children, disabled children, and English language learners and their families** to offset the disproportionate impact of missing school on graduation rates of low income and students of color by increasing funding for ESEA Title I, Part C, and ESEA, Title III, and fully fund IDEA, upholding all rights with no waivers.

**Direct the Dept of Education to promote and provide transparency and report publicly how COVID-related education funding is being spent** at the state and local educational agency (SEA and LEA) and school levels in order to ensure that all students are being served and supported at this critical time.

**Ensure farmworker and other rural children have access to food and homework assignments** should their school districts close due to quarantine or shelter-in-place orders and alternative methods for students to submit their homework assignments, including prepaid postage envelopes.

### IMMIGRATION

**Ensure free COVID-19 testing and COVID-19-related care is covered under emergency Medicaid for *all persons*,** including immigrant communities as a basic public health measure to minimize the spread of the disease, the burden on public health care systems, and impact of deaths on communities.

**Provide direct cash payments to hard working individuals who file taxes with an ITIN** in order to protect public health by helping to make it more possible for sick or at risk populations to stay home rather than interacting with the public, and create a process for those who are not required to file taxes but are otherwise eligible.



**Restore access to benefits under the Patient Protection and Affordable Care Act (ACA) for Deferred Action for Childhood Arrivals (DACA) recipients** in light of the COVID-19 pandemic by directing HHS to issue a Notice of Proposed Rulemaking (NPRM) that would repeal 45 C.F.R. § 152.2(8), which excludes DACA recipients from the definition of “lawfully present” and, consequently, benefits under the ACA.

**Automatically extend status or work authorization for work authorized immigrant DACA and TPS recipients, and other workers, including essential agricultural workers, for the length of time that the individual previously held status or was work authorized** due to the inability of the federal government to process applications during the course of the pandemic.

**Require DHS to suspend all civil immigration enforcement during the pandemic** including halting transfers of people from federal, state or local criminal custody to ICE custody.

**Order the release of detainees in jails and immigrant detention centers**, starting with families, the elderly, and those at high risk of developing the disease.

**Suspend immigration enforcement at interior Border Patrol checkpoints** to prevent deterrence with border communities’ ability to access medical care.

**Pass the [Coronavirus Immigrant Families Protection Act](#), or provisions thereof, to make sure everyone can access critical resources during the coronavirus crisis;** suspend policies that discourage immigrant families from using essential services, expand language access programs, and codify access to coronavirus relief measures for vulnerable communities.

### HOUSING

**Create a national, uniform moratorium on evictions and foreclosures across states, territories, and possessions replacing the current patchwork** in all federally subsidized housing, including Low Income Housing Tax Credit (LIHTC) properties, and for people living in properties covered by Fannie Mae, Freddie Mac, Federal Housing Administration (FHA).

**Provide \$100 billion in emergency rental assistance to avoid unintentionally creating a financial cliff for renters to fall off when eviction moratoria are lifted and back-rent is owed**, and to ensure the continued viability of our country’s essential affordable housing infrastructure. Alternatively, pass the Eviction Crisis Act of 2019 ([S. 3030](#)), or provisions thereof, to create an emergency assistance fund to provide short-term financial assistance and housing stabilization services.

**Direct the Federal Housing Finance Agency (FHFA) to improve in-language resources for LEP (Limited English Proficient) communities and their lenders and servicers by promoting industry access for LEP borrowers** during the coronavirus crisis to ensure LEP borrowers receive communications and targeted outreach in their primary language so that they can access the relief they need.

**Provide \$11 billion in Emergency Assistance Grants (ESGs) to respond to people experiencing homelessness** to minimize the number of people living in homeless encampments and congregated shelters and identify alternative space, including hotels for isolation and self-quarantine, as well as funding for short-term rental assistance and housing stabilization services, and to provide medical respite care, outreach, and street medicine for people experiencing homelessness.



**Fund a major expansion of Housing Choice Vouchers and/or the creation of a targeted renter's tax credit** to help families keep more of their incomes for other essentials like food, medicine, education, and transportation.

**PROTECT DEMOCRACY AND CIVIL RIGHTS**

**Require and fully fund states to prepare for a possible surge in voting by mail in the fall to ensure voters have access to safe and secure voting** and are not deterred by the unprecedented health crisis and lack of any certainty about when the country will be able to fully resume normal activity.

**Closely monitor the Census Bureau and adjust Fiscal Year 2021 appropriations if needed to ensure the 2020 Census is adequately funded to deliver on its constitutional mandate in light of the challenges presented by COVID-19;** including requesting continuous updates on the amount of contingency funds spent or projected to be spent so adjustments can be made accordingly.

**Include language prohibiting discrimination by recipients of federal funds in all COVID-19 response legislation,** in categories such as (but not limited to) age, disability, sex (including sexual orientation and gender identity), race, color, national origin, immigration status, geographic location, or religion.

**Supplemental funding bills, stimulus packages or subsequent regulations must not include any waivers of non-discrimination provisions** or amendments to non-discrimination provisions in any agency programs or activities.

Thank you for your attention to these issues and concerns. We are all only as safe as those members of our community who are most at risk. That is why we must step up our advocacy for communities and individuals most vulnerable – not just those with underlying health conditions, but communities of color, immigrant communities, incarcerated communities, low-income communities, and women, children, the elderly, and disabled. This is especially critical as data is beginning to emerge about racial disparities and the higher impact of the coronavirus infection rate and deaths in minority communities.

We know that the effects of this pandemic will have long-term, unprecedented global consequences, but we at Hispanic Federation commit to remaining on the front lines to ensure the viability of communities across our nation.

Sincerely,



Frankie Miranda  
President  
Hispanic Federation

cc: Members of Congress