

EMANUEL CLEAVER, II

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Congress of the United States
House of Representatives

FIFTH DISTRICT, MISSOURI

HOMELAND SECURITY COMMITTEE

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MODERNIZATION OF CONGRESS

[HTTPS://CLEAVER.HOUSE.GOV](https://cleaver.house.gov)

April 28, 2020

Paul Taylor
Regional Administrator
Region VII
Federal Emergency Management Agency

Dear Regional Administrator Taylor:

I write to you to follow up on the Executive Order signed by President Trump on April 28, 2020 invoking the Defense Production Act to classify meat processing plants as critical infrastructure to keep them in operation.¹ Media reports prior to the announcement stated that the government would provide additional protective gear (PPE) for employees and guidance, and that the executive order would shield meat processing companies from legal liability against worker claims of not being adequately protected.² However, the Executive Order and the initial press release by the U.S. Secretary of Agriculture contain no information about coordination between federal agencies to provide PPE or increased testing to plant employees and the surrounding communities.³

Saline County, in the 5th Congressional District of Missouri, is currently experiencing an outbreak linked to two food processing facilities. As Administrator for Region VII, can you share the following information:

- 1) What is the plan and timeline for distribution of PPE for employees at the plants in Region VII and will these supplies be sourced from the states' supply or provided by the federal government? Will there be continued deliveries of PPE while the DPA is invoked for these processing plants?
- 2) What coordination is being done at the regional level with companies, employees, state and local health departments, and communities? How will stakeholders be involved during the time that the DPA is invoked?
- 3) As part of the DPA and forthcoming guidance, will companies be required to retrofit plants and/or modify shifts and other practices in order to ensure CDC and OSHA recommended social distancing?

¹ <https://www.whitehouse.gov/presidential-actions/executive-order-delegating-authority-dpa-respect-food-supply-chain-resources-national-emergency-caused-outbreak-covid-19/>

² <https://www.politico.com/news/2020/04/28/trump-to-order-meat-plants-to-stay-open-215555>

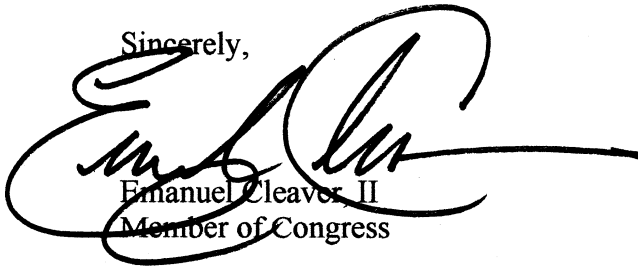
³ <https://www.usda.gov/media/press-releases/2020/04/28/usda-implement-president-trumps-executive-order-meat-and-poultry>

- 4) What enforcement mechanisms will be put in place to ensure these guidelines are adhered to at individual plants? Will FSIS or OSHA teams be regularly inspecting these plants during the DPA?
- 5) Will there be a hotline or other mechanism for employees to report violations?
- 6) Will increased testing be provided at these plants for symptomatic and asymptomatic employees, as well as contact tracing? Is there sufficient testing capacity to regularly test all employees, whether or not they are symptomatic? Has FEMA consulted with the CDC and state and local health departments regarding testing capabilities in Region VII?
- 7) How will FEMA coordinate with the Department of Agriculture, Department of Labor and the CDC to develop guidance about the employees most at risk of COVID-19 complications and what actions and protections should be taken for those employees?

As you know, over 6,500 employees at meat processing plants have either tested positive or gone into self-quarantine, and twenty workers have died, according to the United Food and Commercial Workers Union.⁴ Maintaining our food supply chain is critical to the food security of all Americans and to the continued operation of our food producers. However, it cannot be at the expense of worker health and safety, and indeed the supply chains are not sustainable without healthy and safe workers.

Thank you for your prompt attention to this important issue. A response is expected by May 6, 2020.

Sincerely,

A large, stylized handwritten signature in black ink, which appears to read 'Emanuel Cleaver II'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Emanuel Cleaver, II
Member of Congress

⁴ <https://www.bloomberg.com/news/articles/2020-04-28/trump-says-he-s-issuing-order-for-tyson-s-unique-liability>